

NEW YORK STATE
OFFICE OF THE INSPECTOR GENERAL

INTERVIEW

of

JOYCE MITCHELL

Case: 1072-316-2015

Tuesday, August 4, 2015
12:58 p.m.
Clinton County Jail
25 McCarthy Drive
Plattsburgh, New York 12901

APPEARANCES:

FOR STATE OF NEW YORK OFFICE OF THE INSPECTOR
GENERAL:

[REDACTED],
Deputy Inspector General

[REDACTED],
Investigative Counsel

[REDACTED],
Director of Investigative Reporting

[REDACTED],
Deputy Chief Investigator

FOR JOYCE MITCHELL:

[REDACTED]

ALEXY ASSOCIATES, INC.
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1 JOYCE MITCHELL,
2 having been first duly sworn by the notary public, was
3 examined and testified as follows:

4 [REDACTED] I just have a standard
5 preamble that we read to all witnesses; I'd like to
6 do that now.

7 Thank you for coming in today. The New
8 York State Inspector General's Office is conducting
9 an investigation pursuant to its authority under
10 article 4A of the Executive Law.

11 Is the person accompanying you here today
12 an attorney representing you in connection with
13 this proceeding?

14 MRS. MITCHELL: Yes.

15 [REDACTED] Would you please state
16 and spell your name for the record?

17 [REDACTED] [REDACTED]
18 [REDACTED].

19 [REDACTED] There are certain
20 instructions and warnings we give to all witnesses,
21 so I'll do that now. There is a stenographer here
22 today who will be transcribing your testimony.
23 Please try to speak clearly, slowly and loudly.
24 Let us finish our questions before you give an
25 answer. Please give a verbal response; for

1 example, say yes or no rather than nodding or
2 shaking your head.

3 MRS. MITCHELL: Okay.

4 [REDACTED] You're appearing here
5 today pursuant to your plea agreement with Clinton
6 County District Attorney Andrew Wylie in which you
7 agreed to cooperate fully and completely in all
8 aspects of the New York State Inspector General's
9 investigation of the DOCCS Clinton Correctional
10 Facility escape. You've already been sworn in. Do
11 you understand what I've just said?

12 MRS. MITCHELL: Yes, I do.

13 [REDACTED] Do you have any
14 questions?

15 MRS. MITCHELL: No, I don't.

16 [REDACTED] If a question calls for
17 an answer that would tend to incriminate you, you
18 have the right to assert your Fifth Amendment
19 privilege and not answer that question. Do you
20 understand that?

21 MRS. MITCHELL: Yes, I do.

22 [REDACTED] Do you have any
23 questions?

24 MRS. MITCHELL: No.

25 [REDACTED] Is there anything that

1 would interfere with your ability to testify today?

2 MRS. MITCHELL: No.

3 [REDACTED] Do you have any
4 condition or are you taking any medication that
5 would affect your ability to understand our
6 questions and answer truthfully?

7 MRS. MITCHELL: No.

8 [REDACTED] Because you've taken the
9 oath to tell the truth, if you intentionally make a
10 material, false or misleading statement, you may be
11 prosecuted for perjury. Do you understand that?

12 MRS. MITCHELL: I understand.

13 [REDACTED] Okay, good. I think we
14 can start now.

15 BY [REDACTED]

16 Q First of all, we would like to explore the
17 circumstances under which you first met inmates Richard
18 Matt and David Sweat. I know you've mentioned in some of
19 your earlier sessions with the State Police that you may
20 have first met them 2009 or 2010. We'll start with
21 Mr. Matt. Could you describe where you first met him, the
22 circumstances?

23 A I first met Mr. Matt in the tailor shops when I
24 started working for Clinton Correctional as an instructor.
25 He was in one of the shops because when you first start,

1 you're trained in every one of the shops, and he was in
2 one of the shops that I was trained in.

3 Q Okay, you were sort of floating or rotating among
4 the --

5 A Yes. That's what they do. They have you rotate
6 too.

7 [REDACTED] Let him finish his
8 question because this lady can't take two people
9 talking at the same time.

10 Q Do you recall what shop it was that you first met
11 him?

12 A I don't remember which shop, I don't. I'm not sure
13 if it was tailor 2 or -- I'm not sure which shop. Like I
14 said, they train you in every shop.

15 Q Okay, what about the date, do you recall when that
16 was, what year?

17 A I started in March of 2008, so it would have been
18 any time between there and 2009 because, like I said, you
19 go through every shop and you're in each shop a certain
20 amount of time. And then once they have you trained then
21 you -- like, if somebody is not in, somebody calls in
22 sick, because you're the floater, as they call you, you
23 would fill into shops.

24 Q Okay, so can you describe the circumstances? You
25 know, when you first met him, you know, did he -- was

1 there something about him that stood out for you? Did he
2 approach you in how you first got to, you know, interact
3 with him?

4 A He was just one of the workers, and he was always
5 very respectful. I mean he'd never give me a hard time.
6 He always did the job he was supposed to do.

7 Q But the fact that you could remember this year that
8 you had first met him in a particular place and time is
9 something that -- is something that you remembered in
10 particular about him?

11 A He was just -- I'm not quite sure how to describe
12 it. He was -- he was always somebody that was there to
13 let you know that he was there. I'm not quite sure.

14 Q A forceful personality --

15 A Yes.

16 Q -- type?

17 A I guess that's the best way to describe it.

18 Q And did you have opportunities then to interact
19 with him on sort of a one-to-one basis, conversations with
20 him?

21 A Only if we were talking about work.

22 Q So you weren't developing any kind of personal
23 relationship, sharing --

24 A No.

25 Q -- exchanging any kind of personal information at

1 that point?

2 A No.

3 Q So what about after that? Did you come across him
4 again in the shop? I'm interested in sort of the time
5 before you're in tailor shop 1 in late 2013. I know both
6 he and inmate Sweat --

7 A Like I said, he --

8 Q Over this, that intervening period did you have
9 occasion to work in a shop where he was assigned again?

10 A Yeah, when he was in tailor 2, and he was a sewer
11 in there, and I never had any problems. He always did his
12 job, but, like I said, he was, like you said before, he
13 was forceful. He knew his presence was there.

14 Q Is this the same shop now, or you're now in a
15 different shop from the first time you --

16 A No. I only remember him from tailor 2.

17 Q Okay, and how long -- can you remember, roughly,
18 how long you were both there?

19 A I was just filling in because other civilians had
20 the shop because everyone -- like I had tailor 1. There
21 are different civilians assigned to each shop, and I was
22 just filling in.

23 Q Okay.

24 A And by the time that when I did have tailor 2,
25 which I only had it a few months, he wasn't in that shop

1 anymore.

2 Q And then you didn't come across him again until
3 late 2013 when you --

4 A When I was --

5 Q -- take over permanently --

6 A Yes.

7 Q -- in tailor 1? What about David Sweat, where did
8 you first have occasion to interact with him?

9 A The only time -- the first time was when I filled
10 in in tailor 3, and like I said, I was just filling in.
11 He happened to be, at that time, the instructor in tailor
12 3, and that's where I met him.

13 Q And what date, what year was that, do you recall?

14 A I don't.

15 Q Was that immediately before you went to tailor 1?

16 A Well, no, because I had other shops before tailor
17 1. I'm not sure how long he was in tailor 1 before I got
18 there.

19 Q Okay. Did you go from tailor 3 to tailor 1, or was
20 there something between?

21 A When -- the very last time, yes, I went from tailor
22 3. They had opened it and switched -- they had put me in
23 it for a couple months, and then the civilian that was in
24 tailor 1 he went to a grade 18, is what they call them,
25 and they put me in tailor 1.

1 Q Okay, so when you're in tailor 3 with inmate Sweat,
2 how long a time was that do you think that you were both
3 there?

4 A I was only there maybe a couple days just filling
5 in, that's it.

6 Q Tailor 3?

7 A Yeah. He wasn't my instructor when I had tailor 3.

8 Q Just a couple days. You were --

9 A I just fill in every now and then in tailor 3. I
10 was never -- until the very end when they -- they had
11 closed tailor 3. When they reopened it, they put me in it
12 because I was in APPU before that. And when they reopened
13 tailor 3, they asked me if I would be willing to go into
14 tailor 3, and then it was only open, maybe, a couple
15 months before they closed it, and I went to tailor 1.

16 Q So you spent some time in tailor 3 when inmate
17 Sweat was there working?

18 A Yeah, but not a lot.

19 Q Okay, so what kind of interaction did you have with
20 him there?

21 A Just instructor, and that was it. We just -- he
22 was the instructor when I was there the few days that I
23 had covered, and that was it.

24 Q I mean people told us, though, that you -- when you
25 were both in tailor 3 that you were getting to know him.

1 You were developing kind of a personal relationship with
2 him?

3 A The last time when I was in tailor 3, he was not in
4 tailor 3. He was in tailor 1 at that time. When he was
5 in tailor 3 as the instructor, it was a whole different
6 civilian. I just filled in days when they were -- when
7 the regular civilian wasn't there.

8 Q Okay, so the first time you were in tailor 3, you
9 said you supervised him for a short while?

10 A Right.

11 Q Okay.

12 A But I didn't know him that well; it was just -- I
13 was a civilian covering the shop because the regular
14 civilian was off.

15 Q Well, what kind of impression did he make on you at
16 that time?

17 A He was very respectful, and he come in, did his
18 job, made sure that the other inmates knew what they had
19 to do and made sure the work got out. He never give me
20 any problems.

21 Q So how long were you both there in tailor 3, you
22 and Sweat?

23 A Not very long. I just filled in different days,
24 that was it.

25 Q Okay.

- 1 A Because at that time I was still basically a
2 floater. I didn't have a permanent shop.
- 3 Q All right, okay, so you go to tailor 1 in November
4 of 2013.
- 5 A Something like that.
- 6 Q And inmate Matt and Sweat are both there.
- 7 A Right.
- 8 Q Did you know they were there together before you
9 went there?
- 10 A I had seen them both in there because I had covered
11 the shop on days that the regular civilian was out,
12 because there's times that they might close another shop
13 just to have you do another shop.
- 14 Q Okay, so from November 2013, say, we're going for
15 the next approximately a year that you're the ITS in that
16 shop, Sweat is the instructor, is he?
- 17 A Sweat was the instructor until September of last
18 year? And he was taken out of the shop.
- 19 Q Right, so he was the instructor the entire time
20 that you were there?
- 21 A Yes.
- 22 Q And what was Matt? What was his position there?
- 23 A Just a worker.
- 24 Q Just a worker. So did they sit next to each other?
- 25 A Yes, they did.

1 Q Is the instructor right up front in the shop near
2 you, near the platform?

3 A No. Where I was sitting, the instructor was over
4 here, and he sat right in front of Matt.

5 Q Okay, so they're one in front of the other.

6 A Right.

7 Q Okay, so during that time from, say, November 2013
8 moving ahead through that, roughly, ten-month period to
9 September of 2014, this is when you start to develop a
10 personal relationship with both of these individuals?

11 A Well, we --

12 Q You're exchanging personal information, whatnot.
13 Can you describe that period for us, your relationship
14 with both of them?

15 A It was just, you know, I treated them like human
16 beings. I didn't treat them as, you know -- I just -- we
17 just talked, that was it.

18 Q But during --

19 [REDACTED] But go ahead, [REDACTED].

20 BY [REDACTED]

21 Q Did you treat Matt and Sweat any differently than
22 the other inmates in the shop?

23 A No, I treated them all as equals. I was never -- I
24 treated them with -- every one of them were treated with
25 respect. I mean if you want respect, you have to show a

1 little respect, so I was always respectful.

2 BY [REDACTED]

3 Q We've had the opportunity to listen to your
4 previous statements to the State Police describing this
5 time in your relationship. This is a period of time that
6 you're developing a personal relationship with these two
7 men, isn't that correct?

8 A I was feeling depressed, and I guess Dave paid
9 attention, and yes we did start talking, but --

10 Q And sharing personal information?

11 A Well, they shared more than I did.

12 Q Well, let's talk about your relationship with
13 inmate Sweat at this time. I know you're developing some
14 emotional attachments here, emotional feelings for him,
15 aren't you?

16 A Yes, but, like I said, I was just -- I was
17 depressed, and I was going through some things in my mind
18 that I didn't think my husband loved me anymore, and like
19 I said, they were just paying attention, but that was --

20 Q So your relationship with them is not the same as
21 with all the other inmates; it was something -- something
22 different.

23 A I'm not quite sure how to -- I mean, yeah, I talked
24 more with them than the other inmates, but I still always
25 treated every inmate with respect.

- 1 Q We've heard that there were occasions when you
2 would put your arm around inmate Sweat?
- 3 A No.
- 4 Q You never did that?
- 5 A Never did that.
- 6 Q I'm not even saying in a sexual way, just --
- 7 A No, never.
- 8 Q Never did that.
- 9 A No.
- 10 Q So if someone told us that, what are they referring
11 to?
- 12 A I have no idea because I never put my arms around
13 inmate Sweat.
- 14 Q Not even in just a kind of friendly arm over his
15 shoulder, something like that?
- 16 A No. I was usually -- if I was talking to inmate
17 Sweat, I was usually standing in front of his machine.
- 18 Q So how is this personal, sort of an emotional
19 relationship, how is this developing? Just describe that,
20 this period of eight or nine, ten months. What's
21 happening? The things you're talking about, you know, the
22 time you're spending either at his desk or at Matt's desk.
- 23 A Well, a lot of times when I was talking with inmate
24 Sweat, it was about the work. More times talking with
25 Sweat was about work because he was the instructor, and I

1 had to discuss things with him about work. But I mean,
2 you know, we might look out and look at the weather and
3 talk about the weather, or we might talk about, you know,
4 when they were saying, Well, what's this way? What's that
5 way? But I mean it never was -- I don't know. I don't
6 know how to --

7 BY [REDACTED]

8 Q Did you refer to him as inmate Sweat, or did you
9 call him David or Dave?

10 A I just called him Mr. Sweat.

11 Q Mr. Sweat?

12 A And I always called all the inmates, it was always
13 Mr. [REDACTED], Mr. whatever. Whoever I was talking to, I
14 always said "Mr." I never just called them by their first
15 name or just by their last name. I always said "Mr." just
16 out of respect.

17 Q You just mentioned you would speak about what's
18 this way? What's that way? What are you referring to?

19 A Oh, you would have inmates come up, and it could be
20 Sweat, it could be Matt. They would come up and say --
21 because when you look out our window in my shop, you can
22 see Lake Champlain, or you can see, and they would say, is
23 Plattsburgh that way? Is, you know, Canada that way? You
24 know, they might ask you which way things are. And then
25 you would have -- they would argue with each other over

1 what was what, and then you might have one looking and
2 saying, Miss M, which way is Canada or which way is --
3 just stuff like that.

4 Q Did they refer to you as Miss M? Did they ever
5 call you anything else?

6 A No, just Miss M or Mrs. Mitchell.

7 Q Never Joyce?

8 A No.

9 Q Never Tilly?

10 A No.

11 BY [REDACTED]

12 Q Would you tell them directions? This way to
13 Plattsburgh, this way to Canada?

14 A I mean if they asked me, you know, is Plattsburgh
15 that way? I might say yes, or, yeah, Canada's that way. I
16 never really thought about it when I was saying it.

17 Q But, specifically, with Matt and Sweat, do you
18 recall specific instances where they were asking
19 directions?

20 A No, because Matt would tell other inmates different
21 directions, so he knew which way was what.

22 Q Would he give them wrong directions?

23 A Huh?

24 Q Would he give them wrong directions?

25 A No, no, he would always tell them.

1 BY [REDACTED]

2 Q So Sweat is removed from the shop in September of
3 2014.

4 A Yes.

5 Q Tell us what happened.

6 A When --

7 Q As you understand it.

8 A As I understand it, when he was removed, a couple
9 of the civilians -- I was in the shop one day, and the
10 inmates started coming in. And it was after a holiday
11 because we had the Monday off, and they had come in, and
12 they said they had heard rumors in the -- in the block
13 that two of the civilians had said that inmate Sweat and I
14 had either had a relationship or were having one at that
15 time. And it was investigated, and it was proven that it
16 wasn't true.

17 Q This is September of 2014 we're talking about?

18 A Yes.

19 Q Okay, so --

20 A I believe that's when it was.

21 Q So he's removed from the shop.

22 A Well, he was actually removed from the shop because
23 my boss came in one day and said something. And Sweat
24 looked at him and said, Did you -- I'm trying to remember
25 his exact words -- Did you do something about that lady

1 downstairs that keeps screwing up the orders? And the
2 next thing I knew the sergeant and officers were coming in
3 at break time and looked at myself and my officer and
4 said, Who's your instructor? And we said, Sweat. And
5 they wanted him called up. The next thing I knew, they
6 were telling me he was being taken out. He was no longer
7 in the shop, and apparently it had to do with what he had
8 stated to my boss.

9 Q And, but it was also because of your -- people were
10 observing that you and Sweat were too familiar with each
11 other at that time?

12 A I guess so, but --

13 Q What do you mean, you guess so?

14 A Well, I'm just saying that that was brought to my
15 attention. It was even brought to an officer's attention
16 because the officer come in and had said something to me
17 about it.

18 BY [REDACTED]

19 Q What officer, do you remember?

20 A It was Officer Palmer.

21 Q What did Officer Palmer say?

22 A Just that a couple of inmates had approached him in
23 the block and told him that two civilians had said that.

24 Q Was that before Sweat was removed or after
25 explaining it?

- 1 A I think it was after.
- 2 Q And then when you said Sweat had said something to
3 his supervisor, do you remember who the supervisor was?
4 Was that Scott Scholl?
- 5 A Yeah, it was Scott Scholl.
- 6 BY [REDACTED]
- 7 Q Who are the two civilians that were talking about
8 you and Sweat?
- 9 A I was told that it was Brad Streeter and Vicki
10 Safford.
- 11 Q And what were told that they said?
- 12 A That inmate Sweat and I were either at that time,
13 or we had in the past, had a relationship.
- 14 Q Why would they say something like that?
- 15 A Because I was always over talking to inmate Sweat,
16 but a lot of times it was about work. He was my
17 instructor. I had to talk to him about what had to be put
18 out. We had to have work go out, and if I needed work to
19 be done I had to go to him.
- 20 Q Sure, I understand that, but what things were you
21 talking about that wasn't work-related?
- 22 A Like I said, we would talk about different things.
23 I mean he would ask me how my weekend was. I would tell
24 him.
- 25 Q You felt comfortable disclosing personal things

1 about yourself?

2 A Only some of my stuff. I didn't tell him
3 everything.

4 Q Okay, what type of stuff would you talk to him
5 about?

6 A Like I said, just like what I did on the weekend.
7 If I went camping or, you know, just nothing that he would
8 know where -- where I lived or anything, nothing like
9 that.

10 Q Okay.

11 A The only one I ever discussed, you know, like where
12 I lived was with my officer.

13 Q Who was your officer?

14 A Trombley, but I mean you have a personal
15 relationship with your officer because you work with this
16 person day in and day out.

17 Q So Officer Trombley was in tailor shop 1 the entire
18 time you were there?

19 A Yes, unless he was on vacation or --

20 Q Right, okay.

21 BY [REDACTED]

22 Q Did you admire Sweat?

23 A Um?

24 Q Did you admire Sweat?

25 A I just thought he was very intelligent because I

1 mean he could do pretty much anything. I never had to
2 worry about a mechanic because he could fix the machines,
3 if I couldn't get a mechanic from the tailor shop
4 downstairs, the TRC room. I mean he was very intelligent
5 when it came to being able to fix the machines, and he
6 could sew anything, so he was actually good help in the
7 shop.

8 Q Did he stand out among the other inmates there?
9 Was he a star inmate?

10 A Like I said, I never had any problems with him. He
11 was always very respectful, and he could do any job in
12 there.

13 BY [REDACTED]

14 Q So by September when he's removed you said that
15 people are noticing that you're spending time with him,
16 you're talking to him about personal things, so that just
17 didn't suddenly happen in September. This is something
18 that's been building to some degree over the previous
19 months that you're developing a personal relationship with
20 him?

21 A Well, I mean it wasn't personal at first. It was
22 just, you know, being friendly, you know, just talking and
23 trying to be a decent person.

24 Q But I mean by the time you get to September, you're
25 being separated, the two of you are being separated

1 because of your familiarity.

2 A Right.

3 Q Right? So there is some basis to these
4 observations or concern that you're getting too close to
5 him, that you're developing some kind of a relationship
6 with him.

7 A My boss has always thought that I was too nice of a
8 person, that --

9 Q Yeah, but this is one particular inmate who is
10 removed, not -- you're not -- nothing general is
11 happening. One inmate is being removed, a particular
12 inmate, correct?

13 A Right, but I mean the basis behind most of it was
14 because of the comment that he had made about the female
15 downstairs to Scott Scholl.

16 Q Did anyone talk to you directly on the civilian
17 side about your relationship with Sweat at that time?

18 A No.

19 Q So where did you hear that somebody said something
20 to you to make you understand that your relationship with
21 Sweat was a concern at this point?

22 A The first time I heard anything was when the
23 inmates come in and said they had heard a rumor in the
24 block.

25

- 1 BY [REDACTED]
- 2 Q Do you remember what inmate?
- 3 A I'm trying to think of his name.
- 4 Q That was a pretty big statement that was kind of
- 5 out of left field.
- 6 A Well, like I said, Officer Palmer come in and told
- 7 me the same thing.
- 8 Q What was that? I thought you had thought that was
- 9 after Sweat was removed.
- 10 A No. I'm saying, he had come in and told me that
- 11 two inmates that had approached him that they had heard
- 12 it.
- 13 Q And then the inmates came in?
- 14 A No, the inmates --
- 15 Q That's what I'm trying to get clear.
- 16 A No. The inmates had come in that morning into my
- 17 shop.
- 18 Q Um-hum.
- 19 A And they were telling me. I believe inmate
- 20 [REDACTED] was one of them, and I believe Mr. [REDACTED] was
- 21 the other one, but Mr. [REDACTED] was transferred to a
- 22 different facility a few months before.
- 23 Q A few months before what?
- 24 A Before this all happened.
- 25 Q Before the escape or before --

1 A Yes.

2 Q Okay, and [REDACTED], is that [REDACTED]? Is it

3 [REDACTED]?

4 A [REDACTED].

5 Q [REDACTED].

6 A Yes.

7 Q Okay.

8 A And then later that day Mr. Palmer had come in and

9 told me that two inmates had approached him over the

10 weekend and told him the same thing.

11 BY [REDACTED]

12 Q Was it the same two inmates that approached Palmer?

13 A He didn't tell me who the inmates were. He just

14 said two inmates had approached him.

15 BY [REDACTED]

16 Q When Sweat came back into the shop after he was

17 removed, he worked in the library for a while and came

18 back into a different shop, were you instructed not to go

19 near him?

20 A I was not instructed not to go near him, but I do

21 know that two of the civilians went down to question to

22 see if I had been down to see him, which I hadn't. And

23 the only time I did see him after that was I worked

24 overtime. They had overtime, and of course every civilian

25 would -- you know, anybody who wanted to work the overtime

1 would work it. And I was working overtime, but when I
2 went into the shop he was leaving, because I didn't go in
3 until after the end of the day with my shift, and he never
4 worked overtime.

5 Q Did you see him in passing?

6 A Yeah, because when I was in -- going into the shop,
7 he was standing waiting to leave.

8 Q Um-hum. Did you exchange greetings or anything at
9 that point?

10 A No, not unless he happened to walk by and say
11 goodnight as he was punching out.

12 Q Did Matt say anything to you about Sweat leaving
13 the shop in September?

14 A No.

15 Q Really. Nothing? I find it hard to believe that
16 he and Sweat are buddies. They're working together.

17 A He was upset and --

18 Q He must have talked to you about it. He --
19 talking.

20 A He wasn't happy about it.

21 Q So what did he say?

22 A He said that he would be coming back in the shop
23 because he said they took him out for no reason, and that
24 was pretty much it, but then he didn't come back to the
25 shop. He went to a different one which --

1 BY [REDACTED]

2 Q Why do you think he went to a different one?

3 A Because usually if they take an inmate out, they
4 don't usually put them back into the same shop.

5 Q And you were never instructed not to talk to him,
6 not to go to tailor shop A and talk to him?

7 A No.

8 Q Okay.

9 BY [REDACTED]

10 Q Let's move ahead in time here to the end of the
11 year, the beginning of this year, 2015, when a lot of this
12 happened. We're going to go back over that period of
13 time, January 2015.

14 You get a request from Matt, or a request from
15 Sweat, through Matt, to bring him some [REDACTED],
16 if that's the right term.

17 A One of them.

18 Q Pardon me?

19 A Just one.

20 Q To bring one, so how did that happen?

21 A He sent word with Matt that he needed one.

22 COURT REPORTER: Say that again.

23 MRS. MITCHELL: He said that he needed
24 his, like a [REDACTED].

25 Q And do you know what that was?

- 1 A No. I didn't know what it was for, no.
- 2 Q How did you -- how did you know what to go buy?
- 3 A They drew a diagram or a little picture on a piece
- 4 of paper.
- 5 Q Okay, so what happened then? What did you do?
- 6 A I got it.
- 7 Q You bought it?
- 8 A (Witness nods head.)
- 9 Q Where did you buy it?
- 10 A I think I got that at Walmart.
- 11 Q Okay, and then what? How did you get it into the
- 12 facility?
- 13 A I just carried it in my bag.
- 14 Q Through the front gate?
- 15 A Yup.
- 16 Q Was your bag checked?
- 17 [REDACTED] You have to say
- 18 verbally, Joyce.
- 19 A Oh, I'm sorry.
- 20 [REDACTED] Say verbally.
- 21 A I'm sorry, no, it wasn't.
- 22 Q Was it in your purse or in another carrier?
- 23 A No. I have a big black bag that I would carry my
- 24 lunch and everything right in.
- 25 Q Okay, so that was not checked that day?

- 1 A No.
- 2 Q Has it ever been checked?
- 3 A Not very often.
- 4 Q What does that mean, not very often? Has it ever
5 been checked?
- 6 A The only every time you would actually ever see
7 them check your bag, or even ask for your I.D., was if
8 there was a sergeant, or a lieutenant, or the
9 superintendent, or captain coming through; otherwise, very
10 seldom that they ever --
- 11 BY [REDACTED]
- 12 Q How often would that be where there was a sergeant
13 or a captain? Once a week, once a month?
- 14 A Not very often.
- 15 Q What's not very often?
- 16 A I worked there -- well, I've worked there seven
17 years, and in the whole seven years my bag has not been
18 checked that much.
- 19 [REDACTED] They're asking you to
20 quantify it.
- 21 Q Somehow. Once a month?
- 22 A No, you wouldn't even get it once a month.
- 23 BY [REDACTED]
- 24 Q One time ever?
- 25 A Huh?

- 1 Q One time ever?
- 2 A You might get -- I'm trying to think when I was
3 last there. I think I had it, maybe, three, four times in
4 a matter of five, six months, if that. You never -- like
5 I said, unless there was a captain, a sergeant or somebody
6 coming through --
- 7 BY [REDACTED]
- 8 Q And in the few times they actually did check your
9 black bag, to what degree did they check your black bag?
10 How did they check it?
- 11 A They just have you unzip it, and they look in it.
- 12 Q When you brought in the [REDACTED], where was it
13 physically in the bag?
- 14 A In the middle zipper of my bag.
- 15 Q So no one certainly opened the interior zipper of
16 your bag to look?
- 17 A No. All they have you do is they have you unzip
18 it, and you go like this, and they just -- and it's just
19 like the lunch pails. That's all they'll have you do.
20 They'll have you open the cover, and they'll just look.
- 21 Q So you didn't have any concern when you're bringing
22 in the [REDACTED] to an inmate that that would be discovered
23 at the front gate?
- 24 A No.
- 25 Q Going back, before I forget, when -- just so I'm

- 1 clear, Matt brought a note into your tailor shop from
2 Sweat?
- 3 A Yes.
- 4 Q And in what form was that? How did he hand it to
5 you?
- 6 A He come up, and he stood beside my desk, and he
7 opened my side drawer and threw it in there.
- 8 Q And was it a full note or he had it folded up?
- 9 A No, it was folded up.
- 10 Q And were you present when he did that?
- 11 A Yeah, because he come up, and he stood right next
12 to me and pulled my drawer open.
- 13 Q Okay, and is the drawer -- if you could describe it
14 in a little more detail. And is the drawer accessible?
15 Does he have to then stand up on that stand to get back or
16 you access that --
- 17 A No.
- 18 Q -- from outside?
- 19 A You can come right over to the side and you can
20 reach in.
- 21 Q So he reached around the corner.
- 22 A Yes.
- 23 Q Pulled up the top drawer? Was it the top drawer?
- 24 A Yes.
- 25 Q And you were standing there watching that?

1 A I was sitting at my desk doing card times when he
2 did it.

3 Q And was Trombley on at that time?

4 A I believe Mr. Trombley was handing out tools at
5 that time.

6 Q And the tool would be from that shadow box --

7 A Yeah.

8 Q -- to the side?

9 A From the shadow box to the side.

10 Q So he may have had his back to you at that time?

11 A Yes.

12 Q And Matt took that opportunity to quickly --

13 A Yes.

14 Q -- come up to you. And had he ever passed any
15 other notes to you while you were -- not just that
16 occasion, on other occasions?

17 A Yes.

18 Q In the same manner?

19 A Yes.

20 Q And would there be any times that you didn't see
21 him leave a note that he was still able to leave one in
22 that, or did you open up the door later and find a note
23 that you didn't know that he had left?

24 A No, I would -- I would see it each time he would
25 put one in.

1 Q Okay, and, certainly, none of those times that you
2 received notes from him did you make Mr. Trombley or any
3 other corrections officer aware of that?

4 A No.

5 Q Did you tell Lyle, your husband, about those notes?

6 A No.

7 Q And then when you -- when you got the [REDACTED]
8 through the front gate, at what point did you physically
9 give it to Matt?

10 A When they were in -- when they came into the shop,
11 he just asked me if I had it, and then I went over by
12 his -- his machine, and I gave it to him there.

13 Q Physically, how did you give it to him?

14 A I just handed it to him.

15 Q So hand to hand?

16 A Hand to hand.

17 Q And we're talking [REDACTED]
18 [REDACTED], right, correct?

19 A Yeah.

20 Q So it wasn't a [REDACTED] [REDACTED]
21 [REDACTED], like --

22 A Yeah.

23 Q -- [REDACTED]
24 [REDACTED].

25 [REDACTED] The witness is indicating

1 [REDACTED].

2 Q And you could just give that to him and walk away
3 from him?

4 A Yeah.

5 Q And, certainly, Corrections Officer Trombley didn't
6 observe that.

7 A No.

8 Q How did you avoid him seeing that?

9 A When you were on the floor walking, he would think
10 I was checking work because you had to go around and check
11 the inmates' work as they were sewing. You know, so if
12 they had something that was wrong, you could -- you could
13 have them fix it before it got all the way up to the
14 inspection table, and it would be harder to fix that way.

15 Q So it would be nothing -- it would not be unusual
16 for you to approach one of the inmate's desks and make it
17 look like you were talking about work.

18 A Right.

19 Q And could quickly and easily hand them something?

20 A Right.

21 Q Did you pass any notes back to Matt, for Sweat or
22 for Matt, in that same manner?

23 A The way I did it was when they went to chow, I
24 would put -- put it in his desk drawer or his machine
25 drawer. There's a -- there's a drawer on the side of

1 every machine.

2 Q Um-hum.

3 A And I would put it in there.

4 Q So you would -- during chow, would you be the only

5 civilian or inmate or CO or anybody in the --

6 A Yes.

7 Q -- shop? So you waited until everyone else was out

8 of the shop and you stayed --

9 A Yes.

10 Q -- back at chow -- when they went to chow? I'm

11 sorry. And then you could easily enter their desk and

12 slip them --

13 A Yes.

14 Q On how many occasions do you think you did that?

15 A There were several because Sweat would send notes

16 all the time, or Matt would send notes all the time.

17 Q And like you described earlier, up to your desk.

18 A Up to my desk in my drawer.

19 Q And I mean the obvious question is weren't you

20 concerned that not just CO Trombley but another inmate

21 might see that and turn you in?

22 A Yes, I was, but inmate Matt had a lot of pull in

23 the prison, and I don't think the other inmates would have

24 said anything.

25 Q When you say, "a lot of pull," what does that mean

1 to you?

2 A Inmate Matt was one of these inmates that at break
3 time, you would see several inmates just congregate right
4 around him. It was like he -- I guess they thought he had
5 power or something, because if they needed something they
6 would go to him to get it. Like, if they needed a -- what
7 do you call them? -- a permit for a TV, they would go to
8 Matt, and he would get them one. I don't know, you know,
9 what you have to do to actually have one, but I mean in
10 order to have a TV, you have to have a permit for that; I
11 do know that.

12 Q Are you speculating, or do you know because Matt
13 said, Hey, they come to me, and I help them arrange things
14 like TVs, I arrange tickets?

15 A I know that he got the permits for the TVs because
16 he would get them from Palmer; that I know for a fact.

17 Q Because you actually witnessed that?

18 A Yes. I've seen Palmer come in with him and give
19 them to him.

20 Q With the tickets.

21 A The --

22 Q The permits.

23 A Yes.

24 Q And as you know, I mean, obviously, without Palmer,
25 another CO, it's not something that Matt could have

- 1 created himself or developed, right?
- 2 A No.
- 3 Q So did you ever approach Palmer about the fact that
- 4 he was giving -- or were you present while he was handing
- 5 off --
- 6 A He would come in, and I would see him hand them to
- 7 him.
- 8 Q And was that done in front of other inmates on the
- 9 shop floor?
- 10 A Yes.
- 11 Q Was that in front of Trombley?
- 12 A I don't know if Trombley ever was paying attention
- 13 to what it was that Palmer was handing him or not.
- 14 Q But it was done out in the open on the floor?
- 15 A Yes.
- 16 Q And multiple inmates --
- 17 A Yes.
- 18 Q -- Matt was getting stuff for?
- 19 A Because, actually, the last month I know he had
- 20 brought in at least two or three, because there were two
- 21 different -- two or three different inmates that he got
- 22 permits for for TVs.
- 23 Q Okay.
- 24 A And then Palmer -- Palmer would call me and have me
- 25 send the inmate down to the bottom of the stairs to pick

- 1 up a TV or whatever it might be that he was giving them.
- 2 Q Would Palmer sometimes also come in and just remove
- 3 Matt physically from the floor?
- 4 A Yeah. He would come in and he would say I'm taking
- 5 inmate Matt back to his cell or -- or wherever he was
- 6 going with it.
- 7 Q Who would he say that to?
- 8 A Either myself or the officer.
- 9 Q And do you recall him filling out any logbook or
- 10 anything like that, a schedule?
- 11 A I don't know if the officer ever wrote in the
- 12 logbook or not.
- 13 Q And would he leave -- would Palmer leave with Matt
- 14 and then return the same day or leave and not come back
- 15 with him?
- 16 A No, he wouldn't come back.
- 17 Q He would not come back.
- 18 A If he left with him, he didn't come back.
- 19 Q Did you ever say to Palmer, hey, I need Matt here
- 20 today?
- 21 A No.
- 22 Q Did you ever talk to Trombley and say why do you
- 23 keep removing Matt?
- 24 A No.
- 25 Q Why do you think Palmer was coming to get Matt?

1 A Well, sometimes he would say he's got to go get a
2 package, and I don't know, you know, if he's got packages
3 coming in or not, so I mean he could have actually been
4 getting packages.

5 Q Was Matt, out of all the 40 or so, or around 40
6 inmates, the one that was removed the most by Palmer?

7 A Yes.

8 Q So it would have been obvious over time that Matt
9 was being removed more regularly than other inmates,
10 correct?

11 A Yes.

12 Q And that would be something that would be difficult
13 to determine, correct?

14 A No, it wouldn't be hard to determine. Matt would
15 say that he was Palmer's boy and Palmer was his boy.

16 Q And what did that mean to you?

17 A To me, I guess it meant that, you know, Palmer
18 would look out for him, and he would look out for Palmer.

19 Q Did you ever have a specific conversation with
20 Palmer about his relationship with Matt?

21 A No.

22 Q Or Sweat?

23 A No.

24 Q Going back to the notes, you said you often times
25 left notes and that Matt and Sweat were leaving you notes.

1 Can you describe some of the notes that Matt and Sweat --

2 [REDACTED] Well, I don't think she
3 said Sweat left her notes. I think she said Matt
4 left her notes.

5 Q But some of the notes were from Sweat, correct?

6 A Yes.

7 Q So did Matt also leave his own notes --

8 A Yes.

9 Q -- sometimes? Okay, so starting with Matt, what
10 was the content of some of those notes?

11 A It was just, you know, he was trying to tell me
12 that Sweat was in love with me, and he wanted me to do
13 certain things. And I told him I wasn't comfortable with
14 doing the things, but --

15 Q What things did he ask you to do that made you
16 uncomfortable?

17 A Well, there was one time he wanted me to call this,
18 this woman, and he told me her name was [REDACTED]. I was
19 supposed to call this number, and I was supposed to ask
20 for [REDACTED]. I was supposed to set up an arrangement with
21 her to pick up a package, and I'm assuming it was pills
22 because he told me it was something she had at her house,
23 and she wanted to get it out of there because she was
24 nervous because she was a registered nurse, and it would
25 be in a package in the size of a Lean Cuisine, and it

1 would all be sealed, and I was supposed to bring that into
2 him, along with an envelope with money in it.

3 Q And that certainly -- or maybe I'm wrong. Was that
4 in a note, or was it in a note and you had conversations
5 about it?

6 A It was in a note and conversations.

7 Q And what did you ultimately do with that note?

8 A I threw it away, but --

9 Q Go ahead.

10 A I had told him that I was not comfortable doing
11 that, and he got really -- I'm going to say it. He got
12 pissed off at me.

13 Q And how do you know that he was pissed off? What
14 did he physically show?

15 A Because he started getting -- you know, his voice
16 tone changed, and he walked away. And then he come back,
17 and he says, I'm going to check on that, and I want you to
18 do it. I said, I don't feel comfortable doing it.

19 Q But he had had you do other things that you were
20 comfortable with.

21 A No, I really wasn't comfortable with doing any of
22 it, but he had threatened to harm my husband.

23 Q But prior to that, prior to threatening your
24 husband, he had asked you to do other things that you did
25 comply with.

- 1 A Yes.
- 2 Q Why don't you tell us about that.
- 3 A Like I said, Matt is -- or Matt was very -- it's
- 4 like he had a lot of power in there because he could
- 5 pretty much get anything he wanted from any inmate or
- 6 officers because he had bragged about how he could get an
- 7 officer -- and I'm just telling you he bragged about it.
- 8 Q Yeah.
- 9 A -- he could get an officer to open a cell and walk
- 10 away and let him beat the crap out of the inmate that was
- 11 in the cell and not have anything said. And I -- yes,
- 12 granted, I talked to him, and we formed, I guess, if you
- 13 want to say a personal relationship. I was still scared.
- 14 I mean I am in a maximum prison, and I knew what he was in
- 15 there for, because he had no qualms about showing
- 16 everybody the write-up. I don't care who you were, the
- 17 first time you were in there he was showing you and
- 18 telling you what he was in prison for.
- 19 Q Like a newspaper article?
- 20 A Yeah.
- 21 Q And he physically had a copy of it?
- 22 A He physically had a copy of it.
- 23 Q How did he get a copy of that?
- 24 A I do not know. He had that when I was in there.
- 25 Q Did you bring in any copies for him?

1 A No. No, he had his -- he had the copy, and I
2 don't --

3 Q He would have it on his person, though. He carried
4 it around regularly or did he keep it in his desk drawer?

5 A He kept in his -- underneath his table he had a box
6 where he had his coffee and all that stuff, like all the
7 inmates do, and he had it down there, and any officer that
8 come in, he would show it to him.

9 Q To the corrections officer?

10 A Yes.

11 Q And did you ever read it? Did you see what it
12 actually said?

13 A Yes, I did.

14 Q What did it say?

15 A It was the one where he was -- it showed him in the
16 front. He's walking into the courtroom. I don't remember
17 exactly what it said, but he was going into the court room
18 when he was going to trial for, I believe that was when he
19 had done something to, I don't remember if it was a former
20 boss, but he had -- he had no problem telling you what he
21 did. And like I said, he would -- you could have a new
22 officer come in, and he would bring it up and show it to
23 him.

24 Q Do you recall any other inmates doing anything like
25 this?

- 1 A No.
- 2 Q And when he would go up to -- do you recall him
3 going up to Trombley and showing him that?
- 4 A I don't remember him going up to Trombley when I
5 was in there, but Trombley was the officer with the
6 civilian before me, so he could have done it then.
- 7 Q And in that newspaper article, it's fair to say
8 that it showed that he was charged with murder.
- 9 A Yes.
- 10 Q So there was no question that you were dealing with
11 a murderer.
- 12 A Yes.
- 13 Q And you must have assumed that some of the other
14 people in that shop were murderers as well.
- 15 A Yes.
- 16 Q So you were aware of that before any notes started
17 being passed.
- 18 A Yes.
- 19 Q Okay, and part of your training, you have to go
20 into a -- take a video that says, you know, the games that
21 inmates play, that sort of thing?
- 22 A Well, sometimes you don't always get the video.
23 You just -- you know, you do have training.
- 24 Q Do you recall that in your training?
- 25 A Yes.

1 Q Did you get to watch the video?

2 A I don't really remember the video, but I could

3 have. They could have showed it to me.

4 Q But you don't recall.

5 A No, but I do know we always had the training on the

6 games that inmates will play.

7 Q Because they're conniving.

8 A Yes.

9 Q And they can manipulate you.

10 A Yes, they can.

11 Q Because you previously stated that I think it was

12 Streeter and --

13 A Safford.

14 Q -- Safford had been saying things, like you were

15 getting to close to Sweat, but they were correct

16 ultimately, right?

17 A Yes, they were.

18 Q And so their concern was -- I mean they may not

19 have seen the exact, end results, but they were concerned

20 that too much contact --

21 A But I will tell you that Mr. Streeter treated --

22 even though he's a male, he was just as friendly with

23 inmate Sweat. He would always say, "Sweat's my boy."

24 Q But maybe he was referring to the fact that, like

25 you had said, Sweat was a very valuable employee.

- 1 A Yes.
- 2 Q He wasn't passing notes, that you know of, to
3 Sweat?
- 4 A No, but every time he came into the shop after --
5 before Sweat was taken out and I was covering, he would --
6 the first one he would go to and talk to and laugh and
7 joke with would be inmate Sweat.
- 8 Q Who was the shop foreman, though, inmate foreman.
- 9 A Yes.
- 10 Q And was responsible for production and assisting --
- 11 A Yes.
- 12 Q -- and keeping everything moving. But more
13 importantly, certainly you understand the distinction
14 between passing notes --
- 15 A Yes.
- 16 Q -- with inmates.
- 17 A Yes.
- 18 Q -- inmates requesting you to do certain tasks for
19 them like bring in [REDACTED], correct?
- 20 A Yes.
- 21 Q We're not at a point where we're --
- 22 A No.
- 23 Q Completely different behavior, correct?
- 24 A Yes.
- 25 Q When the first report came back or the first

1 inkling that there were inmates talking about your
2 relationship with Sweat, they were correct, ultimately.
3 Even though it ended up coming unsubstantiated, they were
4 correct that the relationship between you and Sweat had
5 developed into more than the normal supervisor --

6 A It wasn't a sexual relationship.

7 Q I'm not saying that, but it was more -- you guys
8 had been passing notes. You had been having some
9 conversations that were more detailed than what was --

10 A The notes didn't come until after the alleg --
11 allegations. I'm sorry.

12 Q Okay, so you didn't start passing notes with Sweat
13 or Matt until after that initial investigation.

14 A Yes.

15 Q So what indicators do you think Streeter and
16 Safford saw that would have led them to believe that there
17 was improper or too familiar --

18 A Probably because they always saw me talking to
19 Sweat.

20 Q But, ultimately, their suspicions were correct,
21 that it led to a more detailed or -- I don't want to say
22 intimate, but more personal contact with Sweat and Matt?

23 A Yes.

24 Q So is it part of the supervisor's job is to notice
25 things and stop them before they get too far ahead or too

1 involved, correct?

2 A Yes.

3 Q And weren't Streeter and Safford then doing their
4 job to bring that to someone's attention that there were
5 there concerns?

6 A Yes.

7 Q But you were upset about that.

8 A When I asked -- when I talked to Scott Scholl about
9 what they had said, they both denied that they had said
10 anything. That's why it was investigated because they
11 denied that they had said it. I don't have a problem if
12 you're going to say something about me, but at least
13 confront me if you're going to say it and don't deny it
14 afterwards.

15 Q Because that could put you at risk.

16 A Right, because I mean even my union rep had told me
17 that, you know, at first, he said, that could put me at
18 risk because other inmates would all automatically say,
19 well, if you're having sex with her, which I wasn't, we
20 could. That's why I mean -- they should have -- they
21 should have confronted me first.

22 Q After that immediate commentary, at least from the
23 inmates, that Streeter and Safford were talking about you,
24 did you ever approach them specifically about this saying
25 why didn't you guys come to me first?

1 A Vicki and Brad?

2 Q Um-hum.

3 A I had went downstairs to talk to Scott Scholl --

4 Q Who is your -- just for the record, who is your --

5 A Who is my direct supervisor, yes -- about it, and

6 he said that he would discuss it with them.

7 Q And that was the same day?

8 A That was the same day.

9 Q And --

10 A And he never got back to me. It was at least a

11 good three, four days later. And I had went and said

12 something to [REDACTED]. And when she confronted Scott

13 Scholl, Scott Scholl called me down, and he said, Why

14 didn't you wait? I said, Because you told me you were

15 going to get back to me, and I said, It's been three, four

16 days, and you have not gotten back to me.

17 Q So Sweat had been removed for three or four days at

18 this point.

19 A Sweat wasn't even in the shop at this time.

20 Q When that initially came up, it had been three or

21 four days since you heard that it was Streeter and

22 Safford? Am I getting that correct?

23 A Right.

24 Q Okay, go ahead.

25 A Sweat wasn't in the shop at that time. But, yeah,

1 it had been three or four days since I had went down to
2 talk to Scott Scholl about being confronted about it, you
3 know, that the inmates come in and said something. And he
4 said he would look into it and get back to me, and he
5 never did.

6 Q And what was [REDACTED] position?

7 A She's [REDACTED]. She's dep of something, I don't
8 know.

9 Q Does she have an officer right there?

10 A When you go into where you punch out, she's
11 upstairs, up by the superintendent.

12 Q But in the administrative building?

13 A Yes.

14 Q Yes.

15 A She's in the administrative building.

16 Q Okay, and did you write anything? Did you write a
17 complaint or anything like that?

18 A I did.

19 Q And how did that come about?

20 A Because she told me I needed to do a to-from to the
21 superintendent.

22 [REDACTED] A what?

23 MRS. MITCHELL: A to-from, they're
24 called a to-from.

25

1 BY [REDACTED]

2 Q Just describe that more for the record, if you
3 could.

4 A A to-from is just --

5 BY [REDACTED]

6 Q To somebody, from somebody.

7 A Yeah. It's a letter, you know, to the
8 superintendent from me, and you put what the reason is.
9 And my union rep had told me to, because I said, Is that
10 workplace harassment? And he said, No, it's workplace
11 violence. And I'm like, How can it be considered
12 workplace violence? I didn't know. And he said, Because
13 they're putting you at risk. By stating that you're
14 having a sexual relationship, other inmates could take
15 that the wrong way, he said, even if you aren't having a
16 sexual relationship, which I wasn't having a sexual
17 relationship.

18 BY [REDACTED]

19 Q With Sweat.

20 A With Sweat, because when they come to investigate
21 it, they spoke not only to myself, but they spoke to Vicki
22 Safford. They spoke to [REDACTED], because apparently
23 [REDACTED] had done a to-from on it, because there was a time
24 when [REDACTED] was working in the shop in Malone that
25 apparently Vicki had made the same accusation about her

1 which wasn't true. So she had done a to-from, so they
2 spoke to myself, Vicki. They spoke with [REDACTED], and they
3 even spoke to inmate Sweat.

4 Q And do you remember the sum and substance of the
5 to-from that you wrote? Do you remember basically what it
6 said?

7 A Just that it had come to my attention that they
8 were accusing me of that and that it wasn't true.

9 Q And you named Streeter and Safford, specifically,
10 do you recall?

11 A No.

12 Q Just that somebody was talking.

13 A Just that somebody.

14 Q And that went to the Superintendent Racette
15 directly?

16 A Yes.

17 Q Did you ever --

18 A I don't believe I put any names in it.

19 Q Okay.

20 A I might have put Vicki's name in it.

21 Q Just what you recall. Did you ever hear back from
22 Racette?

23 A Yes. He said that IG was coming to investigate.

24 Q The IG for the prison.

25 A Yes.

1 Q And did people come to visit you?

2 A Yes. I can't remember the gentleman's name.

3 Q When did you come in contact with Racette that he

4 said that, do you recall?

5 A He happened to be coming through the shop one day

6 when he was making his rounds.

7 Q And you approached him?

8 A Yes.

9 Q And did you specifically ask about your complaint?

10 A I asked him if he had heard anything on my

11 complaint, and that's when he told me that IG was coming

12 to investigate.

13 Q Okay.

14 [REDACTED] Can I get back to

15 the --

16 [REDACTED] Absolutely, I'm sorry.

17 MRS. MITCHELL: I'm sorry.

18 [REDACTED] No, that's okay. We

19 were talking about this complaint.

20 BY [REDACTED]

21 Q Okay, so you told us that you smuggled in the [REDACTED]

22 [REDACTED] --

23 A Yes.

24 Q -- through the front gate. You handed it to Matt.

25 A Yes.

- 1 Q So after that you got another --
- 2 [REDACTED] Can I ask a question
- 3 about that?
- 4 BY [REDACTED]
- 5 Q I've spoken with David Sweat, and he speaks about
- 6 requesting three different types [REDACTED].
- 7 Are you certain that you only purchased one [REDACTED]?
- 8 A I only purchased one.
- 9 Q Absolutely one, no question about it?
- 10 A No question.
- 11 Q And the drawing that he gave you, did it have a
- 12 measurement on it or a size on it, a size of the [REDACTED]?
- 13 A It was supposed to be, I don't remember if it was a
- 14 [REDACTED], because it was just going to be one of
- 15 [REDACTED], but I can't remember if it was [REDACTED]
- 16 [REDACTED].
- 17 Q And the size, it had a size on the drawing?
- 18 A Yes.
- 19 Q And as you recall it now in your mind, was it just
- 20 a single size, or did it have more than one size?
- 21 A No, just one size.
- 22 Q Okay.
- 23 A But like I said, I don't remember if it was a
- 24 [REDACTED].
- 25 Q Was this the first request that Sweat had made of

1 you through Matt for a tool of some sort?

2 A Yes.

3 Q And do you recall the date of this request, a rough

4 date?

5 A I don't.

6 Q Was it snowing outside? Was it cold?

7 A It was cold outside, I do remember that.

8 [REDACTED] That doesn't do much.

9 A No, it doesn't narrow it down too much, but I do

10 know it was cold.

11 Q It was cold? Do you know how close it was to

12 Christmas?

13 A It was after Christmas.

14 Q After Christmas? Significantly after?

15 A I don't remember.

16 Q Do you recall that David Sweat moved his cell to be

17 closer to Matt?

18 A I have nothing to do with their cells.

19 BY [REDACTED]

20 Q No, but you didn't know that?

21 BY [REDACTED]

22 Q Did you know that they were nextdoor neighbors?

23 BY [REDACTED]

24 Q You've just got to answer, I'm sorry.

25 A Oh, I'm sorry.

1 Q You did not know that they had moved --

2 A I didn't know that, not until the very end that
3 they -- I didn't know that he had been moved till the very
4 end that he had been back by Matt.

5 BY [REDACTED]

6 Q So Matt never told you that Sweat had become his
7 neighbor.

8 A Not until the very end.

9 BY [REDACTED]

10 Q When you say the very end, the last week before the
11 escape, or you mean the last month before they escaped?

12 A No, the last month I didn't know that they were --
13 I know he said that they were working on getting inmate
14 Sweat back next to him, because apparently before inmate
15 Sweat had been taken out of my shop, which means he gets
16 taken out of honor block or whatever, they were next to
17 each other, or I would say they were next to each other.

18 BY [REDACTED]

19 Q Do you recall if when you purchased the [REDACTED],
20 where did you purchase it from?

21 A Walmart, I believe.

22 Q Was that in Malone?

23 A Yes.

24 Q Do you recall, did you use a debit card?

25 A Mostly likely it would have been a debit card

1 because I don't have cash on me because we always had
2 direct deposit.

3 Q Sure, and what bank would that debit card be from?

4 A Community Bank.

5 Q Do you recall was it around -- did you have a lot
6 of expenses for Christmas? Would it be right around the
7 time that you had a lot of expenses on your card? Would
8 that ring a bell? I'm just trying to get a rough date.

9 A No, I didn't have a lot when I -- didn't have a lot
10 of expenses when I got it.

11 BY [REDACTED]

12 Q Inmate Sweat moved back to tailor shop 8 in
13 January, does that sound familiar? When he came back to
14 the tailor shop, it was January?

15 A It might have been, I don't know.

16 Q Okay, so I'm just trying to, again, help you with
17 the time frame. So in January, as far as the request
18 goes, do you recall if it was close to the time he moved
19 back? I mean was he back at the tailor shop when you got
20 the request or was he the librarian?

21 A No, he was in the tailor shop when I got the
22 request.

23 Q Okay, so we know it's after January.

24 BY [REDACTED]

25 Q Or wintertime, do you agree that it was wintertime?

- 1 A Yeah. I know it was cold out. I just don't
2 remember -- I'm sorry, I just don't remember --
- 3 Q Okay, so after that he then makes a request to you.
4 Was this another note or did Matt just convey to you
5 verbally that he needed a different size [REDACTED], something
6 that was a little longer with an angle on it that he could
7 grip better?
- 8 [REDACTED] Would you repeat that?
9 I didn't catch that question.
- 10 Q Okay. After you got this one what you're
11 describing as a [REDACTED].
- 12 A The [REDACTED].
- 13 Q Not too long after that do you recall when Sweat
14 made, either through a note to you or Matt conveyed it to
15 you verbally, a request for a little bit different kind of
16 [REDACTED]?
- 17 A He wanted a chisel.
- 18 Q Well, there's a -- the evidence is that he
19 requested -- the little [REDACTED] was a little too small for him
20 to grip, so he needed something a little longer with an
21 angle on it, like an allen wrench. Do you know what an
22 allen wrench is?
- 23 A Yeah, I know an allen wrench.
- 24 Q Something like that.
- 25 A But I didn't give him an allen wrench. I just give

1 him the chisels and the saw blades and --

2 Q Let's not get ahead ourselves here. After the [REDACTED]
3 [REDACTED], another type [REDACTED].

4 A No, I only give him the [REDACTED], and the chisels
5 and the saw blades, the hacksaw blades.

6 Q You don't recall buying another little --

7 A No.

8 Q -- allen-type-wrench [REDACTED]?

9 A No, I don't.

10 Q Okay, in late January, early February Sweat gets --
11 I mean he tells us this, we have other evidence that he's
12 made a request through Matt to you for hacksaw blades, and
13 then in late January, early February you bring in hacksaw
14 blades to the tailor shop, put them in Matt's box or his
15 drawer, and Matt gets them back up to his cell.

16 A Hacksaw blades?

17 Q Hacksaw blades.

18 A No, they were in the hamburger. Matt told me to put
19 them in hamburger, in a package of hamburger and that Palmer
20 would come in and get it. I was supposed to put them in
21 hamburger, have the hamburger frozen, leave it in the
22 freezer, and Palmer would come and take it.

23 Q Now, I know that the meat later in the year -- this
24 is in January -- the hacksaw blades come in not in --

25 BY [REDACTED]

- 1 Q Very close in time to when you gave him the star
2 bit, so very early on.
- 3 A The hacksaw blades, I brought in, I put in hamburg.
- 4 BY [REDACTED]
- 5 Q When did you do that?
- 6 A That was at -- I'm not sure. It wasn't -- we're in
7 August, right?
- 8 Q Take your time. Just think about it. You told us
9 about the [REDACTED] You said that was first.
- 10 A Yes.
- 11 Q Did you bring in hacksaw blades before the [REDACTED]
12 [REDACTED]?
- 13 A No.
- 14 Q No, so the [REDACTED] was first.
- 15 A Yes.
- 16 Q Determined that was at least January, okay,
17 because -- okay, go ahead. And then was it a week after
18 they asked for the hacksaw blades?
- 19 A No, it was a few weeks after they wanted hacksaw
20 blades.
- 21 Q A few weeks. Two weeks?
- 22 A Maybe two or three.
- 23 Q Two or three weeks, then they asked for hacksaw
24 blades.
- 25 A Yes.

- 1 Q How many hacksaw blades did they ask for?
- 2 A They asked for two at first.
- 3 Q Just two.
- 4 A Just two.
- 5 Q What size?
- 6 A Just the regular -- I bought those at Walmart too.
- 7 They were like a \$1.99 or something like that for two.
- 8 They were the black, rounded-end ones. That's all they
- 9 were, and you got two in a package.
- 10 Q Okay, so how did you -- describe what you did with
- 11 them with the meat.
- 12 A I bent them in two so they would break in two and
- 13 put them in the meat because that's what Matt said to do.
- 14 He said, Put them in the freezer so they will be frozen
- 15 solid and then bring it in.
- 16 Q So you have four pieces of blade.
- 17 A Yes.
- 18 Q In one clump of meat.
- 19 A Yes.
- 20 Q And what did the meat look like? How was it
- 21 packaged?
- 22 A Just the package from the supermarket, the little
- 23 pink styrofoam thing.
- 24 Q On the bottom only?
- 25 A On the bottom only and the plastic wrap.

1 Q So it looked like you just bought it from the
2 supermarket.

3 A Yes.

4 Q It wasn't tampered with.

5 A No.

6 [REDACTED] You mean it looked
7 like it wasn't tampered with.

8 [REDACTED] That's what I said.

9 Q And you walked in the front gate with it.

10 A Yeah. I had it in my bag.

11 Q And did you happen to have your bag checked that
12 day?

13 A No.

14 Q No. Were you nervous that your bag could have been
15 checked that day?

16 A Yes, I was.

17 Q You were nervous. What were you going to say with
18 the pound of meat or whatever you had? What could you
19 possibly say? Have you ever brought in raw meat before?

20 A Yeah, because we -- well, it was frozen, but we
21 would cook in our shops.

22 Q Cook raw meat like that?

23 A Yeah.

24 Q You would cook?

25 A Yeah.

- 1 Q What would you cook in your shop?
- 2 A Hamburgers or we would, you know -- we could do
- 3 hamburgers. We would do dinners. You know, like, I might
- 4 bring in the hamburger. The officer might bring in the
- 5 rolls and chips. We would do stuff like that.
- 6 Q Okay.
- 7 A Because we had an electric frying pan and --
- 8 Q Was there anything else in the meat?
- 9 A The second time there was --
- 10 Q No, I'm on the first time.
- 11 A Oh, no, the first time it was just the blades.
- 12 Q The four blades.
- 13 A Yes.
- 14 Q And then what did you do --
- 15 [REDACTED] Two blades cut.
- 16 Q Four pieces of blade.
- 17 A Yes.
- 18 Q And what did you do with the meat?
- 19 A I put it in the freezer, and Matt told me that
- 20 Officer Palmer would be coming to get it.
- 21 Q Did Officer Palmer know that the blades were in
- 22 there?
- 23 A Not to my knowledge.
- 24 Q What do you mean, not to your knowledge?
- 25 A I don't know. I don't believe he did, but I have

1 no idea.

2 Q Have you ever brought in food before that was
3 delivered by a correctional officer to give to an inmate?

4 A No.

5 Q No, so this was unusual.

6 A Yeah.

7 Q Whether there were blades in it or not.

8 A Right.

9 Q So it would be an unusual request for Officer
10 Palmer to take your meat and give it to an inmate, take
11 any type of food you have and give it to an inmate?

12 A Right.

13 BY [REDACTED]

14 Q Were you worried about what could happen to Palmer
15 if he got caught with those blades?

16 A No, because he's an officer, and he doesn't have to
17 go through the frisker, and I'm assuming that's why Matt
18 had him come to get it. And like I said, I'm just
19 assuming.

20 Q Did there come a time you realized the meat had
21 been taken?

22 A Yeah, because Officer Palmer come in and told me he
23 was coming for the meat. And he took the meat out of the
24 freezer and put it in a yellow envelope and went back to
25 Matt's cell with it.

- 1 BY [REDACTED]
- 2 Q Did he advise you of anything at this time, Officer
- 3 Palmer, when he took the meat?
- 4 A No. What do you mean, advise me?
- 5 Q Did he tell you anything when you made the meat
- 6 available for him to pick up?
- 7 A No.
- 8 Q Okay.
- 9 BY [REDACTED]
- 10 Q Just going back a little bit. Did you carry in the
- 11 same black bag that you talked about before?
- 12 A It was the same bag that I used all the time.
- 13 Q Always.
- 14 A Yes.
- 15 Q And the same one that you had the star bit in
- 16 previously?
- 17 A Yes.
- 18 Q And you don't you recall, again, as you entered
- 19 that they even looked in your bag that day.
- 20 A They didn't.
- 21 Q They did not specifically --
- 22 A No.
- 23 Q -- look in your bag that day. And was Lyle, your
- 24 husband, with you that day when you came to work?
- 25 A Yes.

- 1 Q Did he know that there was hamburger --
- 2 A No.
- 3 Q -- in there?
- 4 A My husband didn't know anything about any of this.
- 5 Q Specifically, that day you didn't say anything like
- 6 some of the people in the tailor shop are going to make
- 7 hamburger or anything?
- 8 A No.
- 9 Q There was no discussion. Was his lunch in with
- 10 your bag or you guys have separate bags?
- 11 A No, we have separate. He has his own lunch pail.
- 12 I would make his lunch in the morning, and then I would do
- 13 my own bag.
- 14 Q So he wouldn't even know what was in the bag at
- 15 all.
- 16 A No.
- 17 Q Hamburger or anything?
- 18 A No, he had no idea.
- 19 BY [REDACTED]
- 20 Q Did Palmer ever caution you when you delivered the
- 21 meat?
- 22 A No.
- 23 Q Did Palmer call you "Tilly"?
- 24 A No.
- 25 Q Never?

- 1 A I don't remember him ever calling me "Tilly."
- 2 Q Did Palmer ever say to you, Tilly, don't be doing
3 this?
- 4 A No.
- 5 Q You don't recall that.
- 6 A No, because I know Matt had said that -- and like I
7 said, I'm just telling you what Matt had said -- that
8 Palmer had brought steaks in for him before and different
9 meats, but like I said, that's what Matt told me. Whether
10 that was just Matt telling me something, whether if it was
11 true, I do not know.
- 12 Q Were you concerned for Palmer, apart from the fact
13 that he would typically not have to go through the
14 frisker, were you concerned that if it was ever discovered
15 that he was transporting blades, that would be the end of
16 his career, criminal charges and everything that would
17 flow?
- 18 A Yeah. Like I said, this was at the time that Matt
19 was threatening to do something to my husband. He
20 threatened to kill my husband, and I had to do what I had
21 to do to save my husband.
- 22 BY [REDACTED]
- 23 Q But you never went to Trombley with that fear.
- 24 A No, because like I said, Matt had a lot of pull,
25 and he always bragged about how he had done pictures for

1 officers and a lot of other people. I didn't know who I
2 could trust.

3 Q But you didn't go to any of the civilian
4 supervisors like Streeter or Scholl?

5 A No.

6 Q Did you go to [REDACTED] about that?

7 A No.

8 Q No one prevented you from going to [REDACTED].

9 A No, but like I said, I didn't know who I could
10 trust and who I couldn't.

11 Q But you were willing to approach Racette at one
12 point. You don't think Racette was involved in anything
13 with that.

14 A I don't think so. All I know is Matt bragged about
15 he had done pictures for a lot of officers. Who they are,
16 I have no idea, but it's not like I could go to an officer
17 and tell them what was going on.

18 Q But you did feel comfortable enough approaching
19 Racette when he was in the tailor shop.

20 A Yes.

21 Q And he's the superintendent of the entire
22 institution.

23 A Right.

24 Q And you had previously gone to [REDACTED] on different
25 occasions and got results to some degree, correct?

1 A Right.

2 Q So she listened to your pleas at one point, and
3 there was an investigation that was unsubstantiated.

4 A But if I would have -- I would have said something,
5 the inmates would have been removed from the facility.
6 And like I said, Matt had a lot of pull, and I didn't know
7 if he would have somebody else do something to my husband.

8 BY [REDACTED]

9 Q Can I just ask, we were talking about how you had
10 like a personal, friendly relationship with Matt, a
11 personal, friendly relationship with Sweat. When did it
12 turn to they're threatening to kill my husband? I didn't
13 get a sense of that at all. You were saying everything
14 was friendly. You were sharing --

15 A It was friendly.

16 Q -- things.

17 A But then when I told Matt that I wasn't comfortable
18 bringing in, like I said, I don't know if it was a thing
19 of pills and the money, that's when he got really upset
20 with me. And every time my husband would come into the
21 shop, he would make a comment that he was, you know, this
22 or that and that he had to get rid of him. Because he
23 looked at me one day and said, you know, I really do love
24 you. And I looked at him and I said, I love my husband,
25 and that's when he said he had to get rid of my husband.

- 1 BY [REDACTED]
- 2 Q Do you recall about when in the year that was, that
- 3 conversation, in particular?
- 4 A That was -- I don't remember.
- 5 Q Was it after the [REDACTED] and the first set of
- 6 blades?
- 7 A Yes.
- 8 Q But before the second set of blades --
- 9 A Yes.
- 10 Q -- and the chisel. Okay, so somewhere in the --
- 11 still the winter of 2015?
- 12 A Yes.
- 13 Q Okay, and where did that physically take place? In
- 14 the tailor shop?
- 15 A In the shop.
- 16 Q And where was Trombley, if you recall?
- 17 A Trombley was at the desk, and I had been going
- 18 around checking work. And when I went to walk away from
- 19 Matt's machine, he goes, you know, I really do love you,
- 20 and that's when I told him that I love my husband, and he
- 21 got really upset with me.
- 22 Q Did you tell Lyle anything about that encounter?
- 23 A No, I didn't because I knew if I told Lyle he would
- 24 go and confront him about the comment.
- 25 Q But --

1 A And I had -- I had seen Matt threaten another
2 inmate in the shop before with a pair of scissors, and I
3 had to tell him, because that day I didn't have my regular
4 officer. I didn't have "Tromb." They had an officer that
5 was new. And I was the one that saw it, and I had to
6 break that up, and if he would do that to an inmate, what
7 would he do to my husband if my husband said something to
8 him?

9 Q But did Matt get disciplined for that?

10 A No.

11 Q Did you issue a report or call over whoever the CO
12 was?

13 A No, I did tell the officer, but --

14 Q What did you tell the officer?

15 A That I had to break up Matt from threatening an
16 inmate. The next thing I knew the other inmate was
17 removed from the shop.

18 Q When you say the next thing you knew, when did that
19 happen?

20 A A few days afterwards the inmate was removed. He
21 had did a complaint or something and asked to be removed
22 from the shop.

23 Q Based on your training and the proper procedure,
24 what are you supposed to do when you observe a physical
25 threat between an inmate and another inmate while on the

- 1 tailor shop floor?
- 2 A Let the officer know.
- 3 Q And you told the officer that there was a threat of
- 4 scissors?
- 5 A Well, I told him that I seen Matt threatening with
- 6 the scissors.
- 7 Q And Matt wasn't immediately celled?
- 8 A No.
- 9 Q He wasn't removed from the shop?
- 10 A No.
- 11 Q And as far as you know, was there any documentation
- 12 of that?
- 13 A No.
- 14 Q And Matt never went to a tier hearing for that?
- 15 A No.
- 16 Q Did you actually ever make that report to the CO?
- 17 A I told the officer.
- 18 Q Do you recall his name or her name?
- 19 A No.
- 20 Q Do you remember if it was a man or a woman?
- 21 A It was a man, but I don't remember -- it was a
- 22 newer officer.
- 23 Q It was just like a fill-in?
- 24 A Yes.
- 25 Q Floater?

1 A Yeah, he was just a floater.

2 Q As far as you know, what --

3 A Apparently --

4 Q How did they report that? How are they supposed to

5 report that?

6 A I don't know how they're supposed to report it.

7 Q Had there been other incidents unrelated to Matt

8 but where other inmates are engaged in threats or violence

9 with each other that you've seen them get removed that

10 same day?

11 A Yes.

12 Q But that didn't happen that day.

13 A No.

14 Q And did you question that with this new officer?

15 A No, because my job isn't the security, his is, and

16 they have -- they have their own way of doing things. I

17 don't even know how they do half of their stuff.

18 Q But that's a very significant event. It's not

19 minor.

20 A Yes.

21 Q You're talking about a threat with a weapon in the

22 tailor shop, you bring it to the attention of the CO,

23 whoever that is, and nothing is done except that you know

24 a few days later that the other inmate that was threatened

25 is removed.

1 A Right.

2 Q Do you remember the name of that inmate?

3 A No.

4 BY [REDACTED]

5 Q When did this happen, this alleged incident that

6 you saw?

7 A A few months earlier in the shop. It was -- I

8 don't know, he had -- the two inmates had beefs with each

9 other about different things, so.

10 BY [REDACTED]

11 Q But you said it was after you already did the [REDACTED]

12 [REDACTED] and the first set of blades, if I listened correctly

13 when [REDACTED] was questioning you.

14 A Yes.

15 Q Okay, so when you purchased the [REDACTED] and you

16 purchased the blades, you did not feel Lyle was in danger.

17 A Not at that time.

18 Q Okay.

19 BY [REDACTED]

20 Q In fact, you're making a plan with them to run away

21 with them. That's not an act of a frightened woman.

22 A I wasn't making a plan to run away with him.

23 Q You were agreeing to a plan, weren't you?

24 A I had an infatuation. I told you, I was going

25 through depression, but that was it. And then I woke up

1 one day and I realized I love my husband.

2 BY [REDACTED]

3 Q Well, what day did you wake up? The day of the
4 escape?

5 A No, before that. I just went along with everything
6 because Matt had threatened to kill my husband.

7 Q But up to and including the day of the escape you
8 didn't report anything to anyone, correct?

9 A I couldn't. Who could I tell?

10 Q So what do you mean by, you know, basically you put
11 up with it to a certain point and then you didn't anymore?
12 What do you mean by --

13 A What do you mean?

14 Q What do you mean by your statement that -- I know
15 you're saying that --

16 A I said I was going through depression and, yes,
17 what they were saying was making me feel good about
18 myself, so, yes, I had an infatuation. But then, after
19 they kept going on and on and on, I realized this is my
20 husband I love, not them. But then if I wouldn't have
21 went along with what they wanted, Matt was going to kill
22 my husband, and I had to -- I had to stay going along with
23 their plan to save my husband.

24 Q But even on the night of the escape or on the 5th
25 of June, you were with Lyle, correct?

- 1 A Yes.
- 2 Q And you ultimately went to the hospital that night.
- 3 A Yes.
- 4 Q You could have called 911 from the hospital that
5 night and said I think Matt and Sweat -- or there might be
6 an escape coming out of Clinton, correct?
- 7 A I could have, but I was scared.
- 8 Q You could have driven with -- you could have driven
9 with Lyle directly to the Malone State Police barracks
10 together.
- 11 A We went the next morning.
- 12 Q But that night you could have before the escape.
- 13 A I know. I was scared.
- 14 Q But you were with him, and they were inside and you
15 were outside with Lyle.
- 16 A No, I was scared.
- 17 Q But you could have done that and you did not,
18 correct?
- 19 [REDACTED] She answered that
20 question, like, twice.
- 21 A I know I could have, but I didn't is right.
- 22 BY [REDACTED]
- 23 Q If you were concerned that Matt and Sweat were
24 going to harm Lyle, why were you providing the tools to
25 Matt and Sweat so they could exit the facility so that

1 they could harm Lyle?

2 A Because if I hadn't played along with their thing,
3 they would have done something to him inside.

4 Q But, ultimately, exiting the facility, they could
5 certainly do something to him outside.

6 A I know, I messed up, but I had -- it was they would
7 either get him inside or they would get him outside. I
8 had to protect him. (witness crying)

9 [REDACTED] Can we take a
10 five-minute break, ten-minute break? Is that okay?

11 (A brief recess was taken.)

12 BY [REDACTED]

13 Q So Mrs. Mitchell, when you bring hacksaw blades in
14 for Matt and Sweat in late January, early February of
15 2015, you know what they're for, correct?

16 A I didn't at first.

17 Q Hacksaw blades in a prison? I mean, come on.

18 A Matt told me afterwards what they were planning.

19 BY [REDACTED]

20 Q When's after?

21 A When he wanted the hacksaw blades, he told me what
22 they were planning.

23 BY [REDACTED]

24 Q And what did he say?

25 [REDACTED] Joyce, if could move

1 your hand down? Because it's hard for this lady to
2 get --

3 MRS. MITCHELL: Oh, I'm sorry.

4 BY [REDACTED]

5 Q What did Matt specifically tell you they were
6 planning?

7 A Apparently, they had been planning for a long time
8 to some day escape.

9 Q And did he actually use the word "escape"?

10 A No. He just said "get out."

11 Q Get out, okay. And you took that to mean, get out,
12 just so we're clear on the record, get out of the prison.

13 A Yes.

14 Q Okay.

15 A I told you I screwed up. If I could take this all
16 back, I would.

17 Q I know. I appreciate that, and we understand that.
18 We're not trying to upset you. It's just very important
19 that we talk about the actual facts as they proceeded.

20 It's very important for the security of the system. Okay?

21 And that's why we're asking you to help us here and go
22 through each step of what happened, when it happened, and
23 how it happened with as much clarity as possible so that
24 nothing like this can happen again. Okay? And that's
25 what we're here for, and I need you to stay as focused as

1 you can. I know it's emotional, but I need you to stay as
2 focused as possible about --

3 A I will.

4 Q -- specifics and details.

5 [REDACTED] I'm glad you said that,
6 because we've had no idea what this is about. I
7 mean we can guess. We could guess, but we didn't
8 know, so I'm glad you said that.

9 [REDACTED] Yes, and it's not a secret
10 from us. We're looking for security breaches.

11 [REDACTED] Okay, it makes sense to
12 me.

13 [REDACTED] Yes. We don't want things
14 like this to happen again, and if there's any --
15 like where we see security breaches where we could
16 alter the system or change the system to make it
17 harder for something like this to happen, you are
18 the best example of someone who can help us right
19 now to do that.

20 [REDACTED] It makes sense.

21 [REDACTED] Okay?

22 [REDACTED] Thank you.

23 Q So I know the questions are hard and they're
24 difficult, but we need as much detail as possible, and
25 this is the time to get it all out, and that was part of

1 the agreement with Mr. Wylie is to assist to prevent this
2 kind of thing.

3 A I do know that Sweat is the one that went down out
4 of their cells first. And there was at one point -- like
5 I said, the timeline just all kind of goes together. I
6 can't remember exactly when, but there was one time when
7 Matt said that they went down, and there was a tool box
8 down there, and that Sweat picked the lock on the tool
9 box, and they found power tools in there. What they were,
10 I don't know because I didn't ask, but I do know he said
11 that they were really happy that they found the power
12 tools. And it was either the next night or the night
13 after that that they went down, the tool box was gone,
14 Sweat was really upset that it wasn't there, and then the
15 following night it was back there.

16 Q And, specifically, is Matt relaying this to you in
17 the tailor shop?

18 A Yes.

19 Q And is this in one conversation or over several
20 days?

21 A When he told me that they found the tool box, that
22 was one day.

23 Q Okay.

24 A And then when he told me that it was gone one day
25 and back the next, that was a whole different day.

1 Q And did they -- did the first thing he say we cut
2 out of the back of our cells and Sweat went down? When
3 did he say this, if you recall?

4 A He didn't actually say that he had cut out of his
5 cell yet. He just said that Sweat --

6 Q Sweat had.

7 A -- Sweat had went down first.

8 Q And you knew that it was with the saw blades that
9 you had given them.

10 A I assumed it was.

11 Q Okay.

12 A Because I didn't know what else they had.

13 Q Did there come a time when Matt says he also got
14 out?

15 A Yeah.

16 Q Okay, do you recall how long after Sweat, or if you
17 do recall?

18 A It was maybe, maybe a week or so after.

19 Q Okay.

20 A Because he said he had to make his hole bigger than
21 what Sweat had to on his.

22 Q Because he's physically bigger.

23 A Yes.

24 Q Okay, but he does, at some point in the
25 conversation, say I too cut out of my cell.

1 A Right, and he was going down, but he didn't like
2 going down because it was so dirty, and I never understood
3 how come -- because he would say they were filthy when
4 they got back up. I never understood how come the
5 officers never saw the dirt, noticed that their clothes
6 were filthy.

7 Q Did --

8 A He would say they would wait until after the -- was
9 it 11:00 check? And then they would sneak out of their
10 cells and work during the night. I'm sorry, that air's
11 cold.

12 Q And did they appear more tired at work or did Matt,
13 I mean --

14 A Matt did.

15 Q -- appear more tired? And how did he show that
16 physically?

17 A He just looked tired.

18 Q Just looked exhausted.

19 A Yeah, he looked exhausted.

20 Q Okay, and when he's telling you this, are you at
21 his desk or his work area?

22 A Yeah.

23 Q Okay.

24 A Because he would -- I would be sitting at my desk,
25 and usually if the inmate wants you to help him with

1 something and you're at your desk, they'll just let out a
2 yell. They'll yell, "Mrs. Mitchell" or -- and he would
3 always, "Miss M." Yeah.

4 Q Come on down.

5 A Yeah.

6 Q So that's when you specifically remember talking to
7 him. Is your back to Trombley or is it --

8 A Yes.

9 Q -- Trombley at that time?

10 A No, my back is to Trombley.

11 Q He can't hear what's being said.

12 A No, because we're halfway across the room.

13 Q Do you recall Trombley ever asking you, hey, you
14 know, you spend a lot of time talking to Matt?

15 A No.

16 Q Never.

17 A No, because Matt talks to everybody, and like I
18 said, nobody ever really said anything.

19 BY [REDACTED]

20 Q So the first request for the [REDACTED] came to you,
21 it was a note from Sweat --

22 A Yes.

23 Q -- that Matt had passed you. Is that
24 necessarily -- is that the beginning of the exchange of
25 notes between --

1 A Yes.

2 Q -- you and Sweat? So let's talk about those notes.

3 What -- and these are --

4 (Discussion was held off the record.)

5 [REDACTED] I'm cold too.

6 Q So whenever you got a note from Sweat, it would be

7 passed to you in the manner you described earlier.

8 A Yes.

9 Q And Matt would either, did he ever just hand it to

10 you or did he always kind of --

11 A No, he would always --

12 Q Secretly --

13 A -- open -- yeah, he would open my drawer and pass

14 them in. He would actually, what he would do is his

15 little radio that he used in the shop, he would leave it

16 in that drawer overnight instead of carrying it back and

17 forth, and that was his excuse to --

18 Q Is that proper for an inmate to do that?

19 A No.

20 Q You let him do that.

21 A I did.

22 Q And Trombley didn't know that?

23 A I don't know.

24 Q He didn't see that?

25 A I don't think Trombley did see it.

1 BY [REDACTED]
2 Q I'm sorry, the radio would be left in his desk --
3 [REDACTED] No.
4 Q -- or in your desk?
5 A No, my desk.
6 [REDACTED] In Joyce's desk.
7 [REDACTED] Okay.
8 BY [REDACTED]
9 Q So that's the beginning of the notes, and --
10 A Yes.
11 Q I'm sorry, when you returned the note or wrote back
12 to Sweat, how would you do that? You --
13 A I would just put it in Matt's drawer when they went
14 out to --
15 Q Okay.
16 A -- chow.
17 Q Okay, so how many notes would you say there are all
18 together? Starting in January and all the way to the end,
19 right?
20 A I don't think it started in January.
21 Q Well, he --
22 A Maybe I -- I sent it.
23 Q He sent you a note about the [REDACTED], right?
24 A Yeah.
25 Q So for the sake of argument, well, is it late

1 January?

2 A Okay, yeah.

3 Q So from that time, February, March, April, May, the

4 beginning of June, how many notes are you getting from

5 him? One a day?

6 A At least one a day.

7 Q At least one a day. How would he get more than one

8 to you a day?

9 A He wouldn't.

10 Q Okay.

11 A It would just be one a day.

12 Q All right. You said "at least," I thought maybe

13 there was an occasion when there might --

14 A No.

15 Q -- be more.

16 A No, no, no, no.

17 Q Okay.

18 A I'm just saying.

19 Q So maybe you would say, is it fair to say a note

20 daily?

21 A Yes.

22 Q Okay, and you're writing back to him that

23 frequently?

24 A Yes, because Matt would come up and say, You got a

25 note for him? And if I would say no, Well, why not?

1 Q Okay, so what's in these notes that he's writing to
2 you?

3 A He's writing, telling me how much he loves me, and
4 how much he wants me to be with him, and blah, blah, blah,
5 just basically, like I said, that he loves me and wants to
6 be with me, and that at that time when he was starting to
7 tell me that stuff, that's when Matt had already said he
8 was going to do something to my husband, so I just went
9 along with him. I didn't want them to know that --
10 because I had no intentions of letting them kill my
11 husband.

12 Q And you're writing back to him. What are you
13 writing back?

14 A Just, basically, telling him that I had feelings
15 for him and, but everything I wrote in those letters I was
16 thinking about my husband, but I had to -- I had to make
17 it seem like -- I know that sounds weird, but I had to
18 make it seem like I was still with them so that they
19 wouldn't hurt my husband.

20 Q So at some point you brought the blades in, you
21 brought the [REDACTED] in, you brought the blades. What's the
22 next thing, you know, the tool, escape tool that you
23 brought for them?

24 A The only thing other than the blades and the [REDACTED]
25 [REDACTED] was a chisel and that come in in hamburg.

1 Q When was that?

2 A That was the second package of hamburger, and that
3 was -- I don't know how many weeks before they got out,
4 but I had the chisel, and there were two more blades that
5 I had bent in two, so they ended up having a total of
6 eight half blades.

7 Q Um-hum.

8 A But I had that in the hamburger, and, once again,
9 Palmer come in to get it. And the day that I brought it
10 in Matt said, Palmer's off today but leave it in the
11 freezer, and he's going to pick it up on Saturday. He
12 said he might even bring me over to get it.

13 Q Okay.

14 A Which is not --

15 Q And when do you think that was? How soon before
16 the escape?

17 A Like I said, probably, three, four weeks before
18 that.

19 Q Two to three? Three to four?

20 [REDACTED] Three to four.

21 Q Three to four weeks.

22 A Yeah.

23 Q Okay, and you brought that in through the gate
24 again, and they didn't check your bag?

25 A I brought it in through the gate again, and like I

1 said --

2 BY [REDACTED]

3 Q Any kind of packaging for the meat? Like it

4 looked like --

5 A Same.

6 Q -- it was an original.

7 A Yup.

8 Q Package?

9 A Looked like an orig --

10 Q Did you remove the cellophane and put it back on,

11 or how did you get the blades in --

12 A Yeah, I just carefully unwrapped it, stuck it in

13 and froze it because that's what he told me to do.

14 Q So covered it back with the original cellophane.

15 A Yes.

16 Q And it looked like -- so you didn't have to take

17 the meat out. You just slid the --

18 A Yeah, I just slid the --

19 Q -- fractured --

20 A Yeah, I slid everything.

21 COURT REPORTER: Ah --

22 [REDACTED] Let him finish that

23 question.

24 MRS. MITCHELL: Sorry.

25 [REDACTED] She can't get two

1 people at once, that's all.

2 MRS. MITCHELL: Sorry.

3 Q So you were able to remove the cellophane, leave
4 the hamburger intact, like it looks like it's wiry or like
5 spaghetti, and then you push the now four pieces of blade,
6 the two blade totals, into the meat and then recover the
7 cellophane with the original cellophane.

8 A Yes.

9 Q So it still has the price tag on it and all that
10 stuff.

11 A Yes.

12 Q And one of the other questions I had is when you
13 put it in the freezer in both instances, is that freezer
14 supposed to be locked and you left it unlocked? Is that
15 what happened?

16 A In my shop --

17 Q Yeah.

18 A -- yes, at the end of the day we're supposed to
19 lock because it's -- the one I have in there, it's a
20 refrigerator and a freezer side by side. And, yeah,
21 you're supposed to lock it up, but any of the officers can
22 get the keys to the locks in the shops.

23 Q But on those occasions that you specifically left
24 meat in the freezer you left --

25 A The first --

1 Q -- it unlocked purposefully, though, right?

2 [REDACTED] Let him finish his
3 question, Joyce, please.

4 Q On both those occasions when you left the meat with
5 the blades in, you left the freezer unlocked purposely so
6 that there would be no need for a key, correct?

7 A The first time I was in the shop when he come and
8 picked the meat up.

9 Q Okay.

10 A The second time I did leave it unlocked because he
11 wasn't picking it up during the week while I was there.
12 He was picking it up on a Saturday.

13 Q And how is it locked? Is it a padlock? Is it a --

14 A Yes.

15 Q Okay, so did you remove the padlock completely or
16 you just left it unhooked?

17 A I just left it unhooked.

18 Q Okay. Is that something, if you know, that
19 Trombley or the CO in there is supposed to be checking on
20 before they leave for the day?

21 A Usually, everybody -- they're supposed to check and
22 make sure everything is locked up.

23 Q Did you wait until Trombley -- you didn't make
24 any --

25 A Actually, I don't -- I don't believe Trombley was

1 there that day because I think -- I believe I had a
2 fill-in that day because he was out because his brother
3 was terribly ill.

4 Q Okay.

5 BY [REDACTED]

6 Q But that other officer would know the same
7 requirement, correct?

8 A Yeah.

9 Q So is he there --

10 A He should.

11 Q Is he the last person to leave or are you the --

12 A Actually, I would leave with him because at the end
13 of the day, we would all stay at the end of the day
14 waiting for the go-back. And depending on if it was -- if
15 it was anywhere after 25 after 3, I would go downstairs
16 before 25 after 3, because we would have to meet with the
17 other civilians, and then the officer would wait with
18 them. But, otherwise, I left, the inmates would be going
19 out, the officer and I would be walking out together. We
20 would be walking. You know, he would turn around and lock
21 the door. He would follow me downstairs. He would go out
22 to follow the inmates, and I would go to the main office.

23 BY [REDACTED]

24 Q So the regular practice --

25 [REDACTED] I'm sorry, Stephen.

1 Q The regular practice was you wouldn't leave a
2 civilian behind as a CO in the tailor shop.

3 A Right, no, you would never --

4 Q They would make sure everything was clear.

5 A Yes.

6 Q And did they actually call in and say, tailor 1
7 clear?

8 A What they would do is they would make a walk around
9 the shop to check everything, make sure there are no
10 inmates or anything, and then as everybody is leaving, and
11 there's nobody in there, they would say, Tailor 1 clear,
12 Tailor 2, you know, whatever shop it happened to be.

13 [REDACTED] And before I forget,
14 [REDACTED], there is one other.

15 Q I know you had mentioned at times you would leave
16 notes during the chow when they were at chow. There were
17 also times when you were there before the CO arrived in
18 the mornings. Would you ever leave anything then, like a
19 note, like, when you're setting up the compressors?

20 A No, not the notes, no, because I wouldn't leave a
21 note until I had one to answer.

22 Q Okay, was there any time that you left anything for
23 them in the early morning before they arrived?

24 A I did leave salt --

25 Q Salt.

1 A -- and pepper.

2 Q Pepper. Where did you put that?

3 A Down in his box underneath his desk.

4 Q The box is different than the drawer you're talking

5 about?

6 A Right.

7 Q Can you describe the box?

8 A It's just a cardboard box like that one up there,

9 well, not exactly that, but one that our thread would come

10 in that the inmates would grab when they were empty, and

11 they would stick them underneath their table that they put

12 their work on so that they could put their coffee or their

13 sugar or whatever in there.

14 Q And just for the clarity of the record, if you

15 could do the dimensions, as you know them?

16 A Um-m-m.

17 Q Just generally.

18 A Probably, 8 inches by 12 inches?

19 Q So --

20 A I don't want to --

21 Q Higher or wider?

22 A It's --

23 Q Twelve inches wide or --

24 A It's like 12 inches wide, and it's only like,

25 maybe, 4 or 5 inches high.

1 Q Okay.

2 A But --

3 Q And would he know that you were putting stuff in

4 there? Would he know to look in there, or would you have

5 to tell him I left you something as you were walking by?

6 A No, he would know because he was the one asking me

7 to bring it in.

8 Q Okay, okay.

9 BY [REDACTED]

10 Q So the second delivery of the meat with the saw

11 blade, there are two chisels in it?

12 A Um, there's four -- well, the four halves.

13 Q You've broken two hacksaw blades into four pieces,

14 and then are there two chisels?

15 A I believe that --

16 Q Say, five-inch chisels?

17 A I don't remember if there was one or two, but I

18 bought the chisel --

19 Q Could there have been two?

20 A I don't remember buying two, but there could have.

21 I don't remember buying two.

22 Q You bought all of this where?

23 A Um?

24 Q Where did you purchase all of these things?

25 A The blades I got at Walmart. The chisel I got

1 at -- I don't know if they call it Farm and Family or if
2 they call it Tractor Supply in Malone, before you get to
3 Walmart.

4 Q Anything else? A punch?

5 A I did get a punch.

6 Q Okay, is that something that Sweat had specifically
7 asked for in a note?

8 A Yes.

9 Q Through Matt?

10 A Yes.

11 Q Okay.

12 A And that was bought at the Tractor -- the Tractor
13 Supply place. Like I said, I don't know if they call it
14 Farm and Family or if they call it Tractor Supply, but
15 it's the building before you get to Walmart.

16 BY [REDACTED]

17 Q And for the Walmart, just to -- are you talking
18 about the Walmart in Malone on --

19 A Yes.

20 Q -- both of these purchases? Not the Plattsburgh
21 Walmart.

22 A No.

23 Q Okay.

24 A Just the Wal --

25

1 BY [REDACTED]
2 Q And not Potsdam.
3 A No.
4 Q West Potsdam. Okay. What about a couple a little
5 concrete drill bits?
6 A I only got the one --
7 Q Not, not the [REDACTED] back in the winter but a
8 little, a little drill bit to drill into concrete, a
9 small --
10 A I don't remember purchasing those.
11 Q Do you remember? Think, think about that
12 carefully?
13 A I don't remember getting any.
14 BY [REDACTED]
15 Q How did Sweat ask for these items?
16 A Just in his notes.
17 Q Was it a note, and so a single note or several
18 notes?
19 A Several notes.
20 Q And did he say I need four hacksaw blades or two
21 hacksaw blades broken in half?
22 A Actually, the hacksaw blades, Matt said he needed.
23 Q Okay.
24 A He didn't actually -- Sweat didn't actually say he
25 needed them. Matt said he needed them.

- 1 Q And the chisels or the chisel?
- 2 A The chisel and the punch.
- 3 Q And who said they needed the chisel, Matt or Sweat?
- 4 A Sweat did.
- 5 Q And did he provide a drawing or a dimension?
- 6 A No, he just said a chisel.
- 7 Q He didn't say five inches or a foot?
- 8 A No.
- 9 Q And the punch, did he provide --
- 10 A Just a regular punch, he said.
- 11 Q And no recollection of a concrete drill bit?
- 12 A No.
- 13 COURT REPORTER: What's your --
- 14 A No. No, I didn't.
- 15 MS. MITCHELL: I'm sorry. I keep
- 16 forgetting. Sorry about that.
- 17 BY [REDACTED]
- 18 Q Is it possible that you got a concrete drill bit
- 19 and can't remember?
- 20 A I could have.
- 21 Q I'm not trying to put words in your mouth.
- 22 A No. I could have, I just don't remember.
- 23 Q Okay, it's possible that you did that?
- 24 A Yeah, it's possible, but I don't remember.
- 25 Q Okay. Could we go back to the first shipment of

- 1 meat, the first --
- 2 A Yes.
- 3 Q How did -- how did -- describe again how that got
4 up to Matt.
- 5 A What do you mean how it got up to Matt?
- 6 Q You brought it into the shop.
- 7 A Yes.
- 8 Q And you mentioned a yellow envelope and Palmer,
9 and --
- 10 A The --
- 11 Q Is there something -- I know there might have been
12 some paint tubes involved.
- 13 A Yes.
- 14 Q Can you describe your understanding, your
15 recollection of how all that occurred?
- 16 A Okay, when I brought the hamburger in, Matt had
17 come over, and when he come in he handed me, I don't know,
18 probably about that long, I guess. They were like --
- 19 [REDACTED] Just for the record, she's
20 motioning about six inches or --
- 21 A Yeah, they're just a little, like a squirt tube of
22 the paints.
- 23 Q He's a painter, so --
- 24 A Yes, he's a painter.
- 25 Q Little aluminum tubes.

1 A Yeah, little aluminum tubes that they -- and he
2 handed me two of those.

3 Q This is when he comes to the --

4 A When he comes to the shop.

5 Q To the shop in the morning?

6 A And when he come to the shop in the morning, and he
7 said, Put these in your drawer. Palmer's going to get
8 them when he comes to get the meat. And I'm like, How did
9 you get these over here? He goes, We don't go through the
10 frisker in the morning. I'm like, Oh, okay, that explains
11 that. But then when Palmer come in, he come up, he asked
12 me for the paints, and he went and got the meat out of the
13 freezer, put it in the bag and put the paints in, but I
14 don't know if -- I mean Matt could have told him that I
15 was bringing the paints in for him, I don't know.

16 Q So he would think the paints were -- had not come
17 from Matt's cell but had come some --

18 A Right, I mean like I said --

19 Q -- had to get back to his cell, is that correct?

20 A Yes.

21 Q So what is your understanding of why, what were
22 these, kind of, machinations? Why are they all happening?
23 The paint with the meat, what's the point of all of that?

24 A My thought was because of the tubes that the paint
25 are in, if Palmer happened to go by the frisker and it

1 goes off, he'll pull out the paints, and they'll say,
2 well, it's just the paints going off, it's not the blades
3 in the meat.

4 Q Did Matt say anything to you about that? Did he
5 explain to you the purpose of the paint?

6 A No, he just told me to put them in my drawer, and
7 Palmer was going to grab them when he come in.

8 Q Did Palmer ask about the paints, why paints?

9 A No, no. He just said -- he just asked me for the
10 paints, and he put them in the bag when he put the meat
11 in.

12 BY [REDACTED]

13 Q And, again, this exchange is happening when
14 Trombley is there?

15 A Yeah, I believe Trombley was in there that day.

16 Q And were you handing it to him out in the open, or
17 were you trying to secretly hand them to Palmer? How did
18 you physically --

19 A I just --

20 Q Open your drawer?

21 A I went over -- no. The paints?

22 Q Yeah.

23 A Yeah, I just opened my drawer and handed them to
24 him.

25 Q So you weren't, like, trying to hide them.

- 1 A No.
- 2 Q You were just handing them over.
- 3 A No, I just handed them over.
- 4 Q Because it leads me to the question and, sincerely,
5 how did you know you could trust Palmer and he wasn't
6 going to, say, turn around and walk those over to
7 administration and say, oh, Mrs. Mitchell, I caught her in
8 the act of secreting paint tubes to an inmate? Even if he
9 didn't know about the hamburger meat, how did you come to
10 a relationship of trust with Palmer that you were okay
11 with handing that stuff over without fear of him
12 contacting anybody?
- 13 A Because it was for Matt.
- 14 Q Just explain that. Why would that be different?
- 15 A Because, like I said, Matt would say that Palmer
16 was his boy, and Palmer would say that Matt was his boy,
17 and he would come and get him, you know, and say he's got
18 to go for a package or something. And like I said, the
19 second package of meat, Matt had made the statement that
20 Palmer will pick it up on Saturday. He might even bring
21 me over to get it which is not something that a CO would
22 do.
- 23 Q So you knew that he had a special relationship with
24 Matt or he was interacting very closely with Matt --
25 Palmer. Correct?

1 A Well, when it come to like the permits and stuff
2 like that, I mean other than that, I didn't know what the
3 relationship was beyond that.

4 Q But you never questioned that with Palmer? I mean
5 that was a pretty --

6 A No.

7 Q -- significant thing to hand over paints to a CO.
8 That never crossed your mind that, oh, my God, it could be
9 a sting or I'm being set up?

10 A Palmer has got a lot of years on, and he's one of
11 the more older COs, so I never -- I never questioned it.

12 Q Because it doesn't seem like you even had any
13 concern to do that. It's not like you had to hide it from
14 Trombley. You just handed him paints. Trombley, you
15 weren't really concerned where Trombley was in the
16 equation.

17 A Because, like with Palmer, nobody questioned
18 Palmer. None of the officers ever questioned Palmer.
19 Some of the officers would complain that they didn't like
20 some of the things he did but, you know, he had more
21 seniority than them, so --

22 Q And, certainly, did Trombley ever speak to you and
23 say, hey, you've got to watch out for Palmer or you should
24 be more careful with Palmer?

25 A He never said anything I had to watch out for

1 Palmer. He just -- you know, he was one of the ones that
2 voiced that he didn't like some of the things that Palmer
3 did.

4 Q Regarding his interaction with inmates, or do you
5 know what he was talking about?

6 A I believe that's what it was.

7 Q Okay.

8 A But --

9 Q He was close with inmates. He was --

10 A Yes.

11 Q -- giving them tickets. He was --

12 A Yeah.

13 Q -- picking them up and removing them from different
14 places.

15 A And like on the weekend -- like on weekends, there
16 are certain officers that, when it comes to the showers,
17 they don't do it, and Palmer was always letting, like,
18 Matt and Sweat, and whatever other ones there were, out to
19 go and do their showers. And then when the other officers
20 were on, Matt and all those guys would get upset because
21 they wouldn't do it, just Palmer would, and the other
22 officers didn't like the way that Palmer did that.

23 Q And just to be clear for the record that you didn't
24 see this type of interaction with other inmates except
25 Matt.

1 A Right.

2 Q Okay, so that stood out in your mind.

3 A Yes.

4 Q Okay.

5 BY [REDACTED]

6 Q I want to go back to the -- go back in time now

7 again. When you first got into tailor shop 1 in November

8 of 2013, how soon after that was it that Matt asked you to

9 make a phone call to his daughter?

10 A Matt didn't ask me to do the phone call to his

11 daughter till after Sweat was out of the shop.

12 Q Okay, so after --

13 A Yeah.

14 Q After September.

15 A Yes.

16 Q Okay.

17 A I believe it --

18 BY [REDACTED]

19 Q September 2014, Sweat was out of the shop?

20 [REDACTED] Right, September of

21 2014.

22 A Yes.

23 BY [REDACTED]

24 Q So the first time that he asked you to do anything

25 of a favor like that --

1 A I think it was after that.

2 Q -- was after that. You're sure about that, not
3 before?

4 A I'm not sure. I'm sorry, I'm really not sure, but
5 I know he --

6 Q What was the first that he asked you to do?

7 A You mean as far as --

8 Q A favor that you knew you probably shouldn't be
9 doing.

10 A Was, probably, calling his daughter to check on
11 her.

12 Q Okay.

13 A To see how she was because he hadn't heard from
14 her.

15 Q And that was when, if you recall?

16 A I don't remember. I don't mean to keep saying
17 that, but I really don't.

18 BY [REDACTED]

19 Q Well, let's think of things that will help you
20 remember. You originally said you didn't think Sweat was
21 in the shop?

22 A I don't think he was, but he might have been, but I
23 don't remember him being there.

24 Q Did Matt just come out of the blue and say, you
25 know, hey, can you call my daughter, or were you guys

1 talking about something specific?

2 A He had had a visit with his daughter one day, and
3 he was really upset about a comment that her husband,
4 boyfriend, whatever he was, had made at the visit. And he
5 asked me to call and check on her. And I think I
6 shouldn't have done it, and I know I shouldn't have done
7 it, but I guess it's because the mother that I am, how
8 much I love my hus -- or my son, and my daughter, and my
9 older son, as much as I love my kids, I would be worried
10 about them, and I guess the mother in me came out over --

11 [REDACTED] Would you -- Joyce,
12 just give them the facts as to what you did, not --

13 MRS. MITCHELL: Okay.

14 [REDACTED] -- not justifying it or
15 not -- just tell them what you did and when it
16 happened.

17 A But, so I called to check on her, and she said she
18 was okay, and I told him, you know, what she had said.

19 [REDACTED] I was going to ask
20 why she did it, what motivated you.

21 BY [REDACTED]

22 Q I think you've answered what motivated you to do
23 it.

24 A Like I said, the mother in me.

25 BY [REDACTED]

1 Q Was there a time when Matt had sent his daughter a
2 number of paintings?

3 A Had what?

4 Q Had sent his daughter a number of paintings?

5 A Yes.

6 Q And so was it immediately after he had sent her the
7 paintings?

8 A It wasn't immediately, but it had been after.

9 Q Do you know how large a quantity of paintings? Was
10 it a --

11 A I never knew how many paintings he sent her; I just
12 know he did send her paintings, and she was supposed to be
13 selling them on E-Bay because he actually had me look to
14 see if they were on E-Bay.

15 Q And so do you recall asking her if she had in fact
16 put them on E-Bay?

17 A Yes.

18 Q That was part of the conversation?

19 A That was part of the conversation too, to make sure
20 she was okay and that she had the -- that she had gotten
21 the paintings and they were on E-Bay.

22 BY [REDACTED]

23 Q And did you say something to her like, you know, I
24 know I shouldn't be doing this or --

25 A Yes, I did.

1 Q -- I could get in trouble?

2 A Yes, I did.

3 Q And so you knew there were consequences --

4 A I --

5 Q If you --

6 A I knew.

7 Q -- were caught.

8 BY [REDACTED]

9 Q And this was before you brought in any type of

10 tools, is that correct?

11 A Yes.

12 BY [REDACTED]

13 Q When did Matt first do a painting for you? I'm

14 sorry, can I take one step back first?

15 A Ouch.

16 Q Did he -- you did a nice favor for him in calling

17 his daughter. Did he reciprocate in some way? Did he do

18 something in return for your favor?

19 A He did a painting of my son.

20 Q At that time.

21 A Yes.

22 Q And how did he -- did you bring him a photo of your

23 son or something?

24 A Yes, I did.

25 Q And how did that happen? Brought it to the shop

1 and --

2 A I just brought it in the shop.

3 Q -- handed it to him openly?

4 A Yes.

5 Q And that wasn't proper either, was it?

6 A No.

7 [REDACTED] I don't mean to interpret

8 you.

9 BY [REDACTED]

10 Q Did he ask you if he could do a portrait for you

11 because you had done a favor, just so we're clear?

12 A Yes.

13 Q That was because it was kind of as a pay-back, you

14 said.

15 A Yes.

16 Q How did it come up? Did he say bring in a picture,

17 or is it I can do paintings? What did he say?

18 A He said bring in a picture, and I knew he could do

19 paintings because, like I said, he had said that he had

20 done several, and when I -- and I did look on E-Bay, and I

21 did see his paintings.

22 Q And did you bring in a photo to him of the

23 paintings from E-Bay, or any photos to show him that you

24 had seen them?

25 A No, I just told him.

- 1 Q You told him?
- 2 A No, I just told him.
- 3 Q Did you also tell Trombley that, that there was --
- 4 A Yes.
- 5 Q That happened in the shop in front of Matt?
- 6 A Did I tell him in front of it, in front of Matt
- 7 that I --
- 8 Q Did you discuss with Matt and Trombley about the
- 9 fact that you had seen the pictures that you had sent the
- 10 daughter, his daughter?
- 11 A Yeah.
- 12 Q Okay, and did he -- did you ask -- at any point did
- 13 Trombley say you shouldn't be talking about paintings or
- 14 talking to his daughter? Did he say anything like that?
- 15 A No.
- 16 Q What did he say when you guys were discussing that?
- 17 A Well, when I told him that I saw -- when I told
- 18 Trombley that I saw the paintings on E-Bay, he said, Yeah,
- 19 he said, I've seen his paintings. Of course, if he's
- 20 painting over in the block, Trombley would see his
- 21 paintings.
- 22 Q Because Trombley sometimes was assigned over to A
- 23 block.
- 24 A Yes.
- 25 Q You had never been over to A block, had you?

1 A No. I'm not allowed -- we're not allowed in the
2 blocks.

3 Q No tailor shop employees or just --

4 A No.

5 Q -- no civilians or what?

6 A Pretty much, female civilians. When my husband
7 first started there, they had a lock-down or something,
8 and they -- like when they had a lock-down and they were
9 going through all their cells and everything, they would
10 have, like the last two times, they had myself and some
11 other females civilians. We were -- they have papers that
12 they have to fill out. They put the inmate's name and
13 their number, and then when they're going through their
14 cell, they fill out the property that's in there; that's
15 what they had us do. We sat in the visiting room, and we
16 did every block. We did all of the inmates' names and
17 their DIN numbers. And then that paperwork was half done
18 for the officers so that when they're going down through,
19 all they got to do is write down. But when my husband was
20 first there, he went in to help them, but as far as the
21 females, we were never, never allowed to go down there.

22 Q And going back to Trombley and the discussion about
23 the paintings for his daughter, did there come a time when
24 Trombley talked about his own brother and having a
25 painting done by Matt about his brother and himself, like

1 a portrait done for him?

2 A No, not, not to my knowledge did he ever said
3 anything.

4 Q Do you recall saying -- do you recall -- do you
5 recall mentioning to Trombley that you would like to have
6 a painting done?

7 A Yeah.

8 Q And what painting was that going to be of, if you
9 recall?

10 A That was going to be of my kids for my husband.

11 Q Okay, and that was -- but you mentioned that
12 directly to Trombley.

13 A It might have been Trombley.

14 Q A CO.

15 A Yes.

16 Q Okay, and was Matt present too, or was it just with
17 the CO?

18 A It would have been -- Matt would have been there.

19 Q So you're discussing it together on the shop floor.

20 A Yes.

21 Q Correct? Okay, and certainly whoever the CO is,
22 but most likely Trombley, didn't report that to anybody,
23 that contact.

24 A No.

25 Q Did he say to you that you should be careful, we

1 shouldn't be talking about this, anything like that?

2 A No.

3 Q Okay.

4 BY [REDACTED]

5 Q So he does a -- in payment, so to speak, for the

6 phone call to his daughter, he does a portrait of your

7 son, is it?

8 A Yes.

9 Q Based on a photograph you brought into him.

10 A Yes.

11 Q Okay, how would he get a photograph back to his

12 cell?

13 A Put it in his pocket.

14 Q That would be, technically -- would that be

15 contraband?

16 A Yeah.

17 Q From you.

18 A Technically, it would be.

19 Q So how long after that that you got the painting?

20 A It was at least a couple months.

21 [REDACTED] I don't mean to interrupt,

22 [REDACTED].

23 BY [REDACTED]

24 Q You said that he could put it in his pocket. Did

25 you actually talk with Matt about how he got the pictures

1 back?

2 A No, I didn't.

3 Q Photograph? Okay, so you're speculating that --

4 A Yes.

5 BY [REDACTED]

6 Q You didn't see him put it in his pocket?

7 A No, I didn't see him put it in his pocket.

8 Q So a couple months, the painting is ready, I'm

9 done? How do you get the painting?

10 A Palmer took it out to my car.

11 Q Okay.

12 BY [REDACTED]

13 Q Is it wrapped? Is it a wrapped painting?

14 A It was wrapped in, like, brown bags or something

15 like that.

16 Q How large was it?

17 A Carton. Well, it's 11 by 16.

18 Q Eleven by sixteen inches.

19 A Yeah.

20 BY [REDACTED]

21 Q That would be too big for your black bag, correct?

22 A Right.

23 Q Did you think about taking it out yourself?

24 A No, no. Matt said Palmer would come and get my car

25 keys and put it in my vehicle.

1 Q Is that what happened? Do you remember Palmer --
2 A And when I -- when I went out -- well, Palmer come
3 in and got my keys, and when I went out, it was like in
4 between cardboard.
5 Q Do you mean there was cardboard on both sides of
6 the --
7 A Yes.
8 Q -- portrait? And was the portrait on a canvas?
9 What was it made of?
10 A Yeah, it's --
11 Q Like a regular portrait.
12 A Yes, like a regular portraits.
13 Q So it has cardboard on both sides to protect it?
14 A Yes.
15 Q And then it's wrapped in a brown paper bag of some
16 kind.
17 A Yes.
18 Q Okay, and it's about 11 by 16, so it's a pretty
19 good size.
20 A Yeah.
21 Q And did you ever physically see it before it ended
22 up in your car?
23 A No.
24 Q So what exactly did Matt tell you? How did Palmer
25 get it?

- 1 A He just, Palmer come and got it from his cell.
- 2 Q From his cell in A block?
- 3 A Yeah.
- 4 Q And then walked it out the front, as far as you
- 5 know or you don't know?
- 6 A As far as I know.
- 7 Q Matt didn't specifically tell you?
- 8 A No.
- 9 Q Okay, but you go out at the end of the day.
- 10 A And it's in my vehicle.
- 11 Q All right, is Lyle with you?
- 12 A Yeah, Lyle was with me.
- 13 Q Did he see that, or was that hidden away in the
- 14 side compartment or something?
- 15 A It was in the back seat.
- 16 Q Did he eventually see that?
- 17 A He did, eventually.
- 18 Q Did he see it on that trip back?
- 19 A No, not until we got home.
- 20 Q Okay, and then what, if anything, happened when you
- 21 got home? What did you do?
- 22 A I just took it out.
- 23 Q Did you show it to him?
- 24 A Yeah.
- 25 Q What did -- what did Lyle say?

- 1 A He wanted to know how I got it.
- 2 Q What did you tell him?
- 3 A I told him Palmer brought it out.
- 4 Q Did he ask who actually painted it?
- 5 A No, he knew because he knew that Matt paints, and
- 6 he knew that that's who I would have got it from, and
- 7 actually Matt signed it.
- 8 Q He did, he actually signed --
- 9 A Yes.
- 10 Q -- his name on that. And where did you put that
- 11 physically in your home?
- 12 A In my living room on my wall.
- 13 Q And do you recall about when that happened? We're
- 14 having trouble figuring that out, right? Okay.
- 15 A I don't remember.
- 16 Q But, again, we're talking before the first tools
- 17 were ever brought in.
- 18 A Yes.
- 19 Q Okay.
- 20 BY [REDACTED]
- 21 Q And then is there another painting? Before the
- 22 anniversary painting that you asked him to do which he
- 23 does not finish, is there another painting?
- 24 A It was of dogs.
- 25 Q Pardon me?

1 A It was a picture of dogs.

2 Q How did that -- was that his payment of a favor

3 that you did for him?

4 A Yes.

5 Q And what was that favor?

6 A That would be the peppers.

7 Q How many peppers?

8 A Three or four. It's the plastic pepper that you

9 buy at Walmart.

10 Q Okay.

11 BY [REDACTED]

12 Q Again, are you saying like a container --

13 A Yes.

14 Q -- about three inches? The kind you --

15 A Yeah, just --

16 Q -- fill up pepper shakers with?

17 A Yeah, the one that you fill the pepper shakers

18 with.

19 Q And it's a cardboard plastic wrap.

20 A Yes.

21 Q Okay, and you had purchased that at Walmart as

22 well.

23 A Yes.

24 Q And how did you bring that in?

25 A In my bag.

- 1 Q The same black bag?
- 2 A The same black bag.
- 3 Q And when you specifically brought that in did
- 4 anybody look in your bag that day?
- 5 A No.
- 6 Q And then where did you physically put it in the
- 7 shop?
- 8 A I would take it and put it in his box by his
- 9 machine.
- 10 Q The box that you described previously.
- 11 A Yes.
- 12 Q Where they have thread and that kind of --
- 13 A Yes.
- 14 Q Okay, and then do you know how Matt -- do you know
- 15 how Matt got that back to his cell?
- 16 A Put it in his pockets.
- 17 Q But did he tell you that, or did you see him put --
- 18 A No, that I see him physically put in his pockets.
- 19 Q Okay.
- 20 A Or he would have one of the other inmates put it in
- 21 their pocket.
- 22 Q Okay, so he would occasionally hand off --
- 23 A Yes.
- 24 Q -- different things to other inmates.
- 25 A Yes.

1 BY [REDACTED]
2 Q And how would that painting get to you?
3 A Palmer.
4 Q The same, the same --
5 A The same exact way.
6 Q -- scenario you just described?
7 A The same exact way.
8 Q Do you still have that painting?
9 A Pardon?
10 Q Do you still have that painting?
11 A I believe the State Police has both of those.
12 Q And Lyle at some point became aware that you had
13 this --
14 A Yes.
15 Q -- second painting from --
16 A Yes.
17 Q -- from Mr. Matt?
18 A Yes.
19 Q Did he say anything to you about it?
20 A He didn't say anything.
21 Q Did he say maybe you shouldn't be doing this or --
22 A He didn't say anything.
23 BY [REDACTED]
24 Q Did you have any conversation with Palmer after,
25 you know, thank you for dropping that off in my car?

1 A Yeah, I would tell him thank you.

2 Q But you didn't specifically ask how did you get it
3 past security?

4 A No, because he's security, so they're not going to
5 question Palmer if he's walking out with something.

6 BY [REDACTED]

7 Q Do you remember bringing in an alarm clock?

8 A A what?

9 Q An alarm clock?

10 A No, I don't remember bringing in an alarm clock.

11 BY [REDACTED]

12 Q Was there another painting requested of Matt?

13 A Just the one of my three children he was -- that he
14 never finished.

15 Q Was there a painting of you, your husband and your
16 father?

17 A No, I don't have a picture of the three of us.

18 Q Did you ever request a painting of you, your
19 husband and your father?

20 A No.

21 Q No? Not at all, okay. The last painting that you
22 requested for of your family, what was that going to be,
23 an exchange for something?

24 A That was going to be for the -- I believe that was
25 the gloves that I brought in, the -- what do you recall

1 them? -- the bag gloves, the --
2 BY [REDACTED]
3 Q The boxing gloves?
4 A Yeah.
5 Q The speed bag?
6 A Yeah, the speed bag.
7 Q The speed bag gloves.
8 A Yes.
9 Q How did those come in?
10 A I just carried them in in my bag.
11 Q And handed them to Matt?
12 A Um-hum.
13 Q Put them in a box or which way?
14 A No, I just handed them to him.
15 BY [REDACTED]
16 Q And, again, did that happen right on the tailor
17 shop floor?
18 A Yes.
19 Q And do you know where -- I hate to keep asking the
20 same question, but do you know where Trombley was when you
21 did that?
22 A At his desk.
23 Q So, were you hiding that, or was that out in the
24 open?
25 A No, I just, but I put them -- I took them over to

1 him, that's all. He just didn't see me.

2 Q Okay.

3 BY [REDACTED]

4 Q Did you have to provide canvas, brushes --

5 A No.

6 Q -- paints for any of these?

7 A No, I didn't have to.

8 Q Did you ever see other correction officers provide

9 Matt with, say, a bag, or supplies, painting supplies,

10 canvas, brushes, paints?

11 A I -- I never saw any of that.

12 Q Do you know of any other correction officers or any

13 other staffers who received paintings from Matt?

14 A I know Matt said that he had done paintings for a

15 lot of officers, but who they are, I do not know.

16 Q Not at all.

17 A Not at all.

18 Q Do you recall if Trombley received one?

19 A I don't remember Trombley ever getting one.

20 Q What about [REDACTED]?

21 A I don't know about him either.

22 Q What about [REDACTED]?

23 A No, I don't -- like I said, Trombley is the only

24 officer I saw daily. The other officers you only see once

25 in a while, but like I said, I know Matt said he had done

1 paintings for other officers, but who they were, I do not
2 know.

3 Q What about [REDACTED]? [REDACTED].

4 A Yeah, I know [REDACTED]. He's down in -- not that I
5 know of, but, like I said, I don't know.

6 Q You don't know, okay. What about Mr. LaValley, the
7 former superintendent?

8 A I never, I never heard of anything but --

9 Q Okay.

10 A Like I said, I can't -- I can't speculate. I just
11 know that Matt said he had done a lot of paintings for
12 officers.

13 Q And he never said who they were?

14 A No. He just said a lot of officers.

15 BY [REDACTED]

16 Q Do you know a CO named [REDACTED] or [REDACTED] or
17 [REDACTED], anything like that?

18 A No.

19 Q That name doesn't ring a bell for you?

20 A No.

21 Q Certainly, Matt never discussed providing a picture
22 for her?

23 A No.

24 Q Anybody named [REDACTED]?

25 A No.

1 BY [REDACTED]

2 Q Do you know if Matt said that Gene Palmer would be
3 the liaison for these other paintings to get them to and
4 from?

5 A No, he never -- he never said how. He just said he
6 had done paintings for several other officers.

7 BY [REDACTED]

8 Q Okay, yeah, there's just a number of items that we
9 would like to ask you about. So an alarm clock, you never
10 handed an alarm clock to Palmer to take up to Matt?

11 A No.

12 BY [REDACTED]

13 Q Palmer says you did.

14 A An alarm clock?

15 Q Yes.

16 BY [REDACTED]

17 Q Then he realized inmate Matt couldn't have it
18 because there was an alarm on it.

19 A Oh, radio. He took my old radio.

20 Q Which had a clock on it, I presume.

21 A Yes.

22 BY [REDACTED]

23 Q Palmer did?

24 [REDACTED] Okay.

25 Q Palmer took it?

1 A Yeah.

2 Q And to take --

3 A I thought -- yeah. I thought you meant just a --

4 BY [REDACTED]

5 Q Well, like, I --

6 A I thought you meant just an alarm clock.

7 Q That was a word that he had used, alarm clock.

8 A No, it was my old radio.

9 Q That was in the shop?

10 A Yes. I was going to throw it out.

11 Q And Matt had asked for it or what happened?

12 A He saw me getting ready to throw it out, and he

13 said, Leave that, and I'll have Palmer come and get it.

14 But I thought you meant alarm clock alarm clock.

15 BY [REDACTED]

16 Q When was that?

17 A I don't -- I seriously don't remember.

18 BY [REDACTED]

19 Q But, again, is that before the -- is that before

20 the first [REDACTED] and all of the tools like that?

21 A It could have been.

22 Q Do you physically remember Palmer coming to get it?

23 A I don't remember him physically coming and getting

24 it, but he could have because he was going through the

25 shop all the time.

1 Q But you don't remember throwing it out, or did you
2 set it aside?

3 A I didn't throw it out. I just -- I left it.

4 Q You weren't concerned about it because it wasn't --
5 you were going to throw it out anyway, correct?

6 A Right.

7 BY [REDACTED]

8 Q Did Matt have access to that radio before Palmer
9 picked it up for delivery?

10 A No. He just saw it -- it was on my desk.

11 Q And he didn't have access to it?

12 A No.

13 BY [REDACTED]

14 Q Did you put any tools in it, a bit --

15 A No.

16 Q -- or anything? Did you use it that way?

17 A No, no.

18 BY [REDACTED]

19 Q What about the eyeglasses?

20 A What about them?

21 Q The eyeglasses?

22 A With the flashlight?

23 Q With the flashlights, tell us about that.

24 A Those were for one of the paintings, and it was --
25 and what he told me he was using them for was to paint

- 1 because he painted at night.
- 2 Q And where did you get those?
- 3 A Off of E-Bay somewhere.
- 4 Q And how many were there, how many pairs?
- 5 A Two, possibly.
- 6 BY [REDACTED]
- 7 Q Do you remember how you brought those in?
- 8 A Just brought them in my bag.
- 9 Q Do you remember specifically when you had those,
- 10 did they look in your bag, anybody at the front gate?
- 11 A Nobody looked.
- 12 Q And then how did you provide them to Matt,
- 13 physically?
- 14 A I just put them in his box.
- 15 Q Probably, at lunch time? I don't want to put
- 16 words --
- 17 A Yeah.
- 18 Q -- in your mouth. Okay.
- 19 BY [REDACTED]
- 20 Q And that was -- you think that was a payment for
- 21 the portrait that was never done, is that right or --
- 22 A I don't remember if it was one that was never done
- 23 or if it was one of the other ones.
- 24 BY [REDACTED]
- 25 Q What other ones? How many other ones besides the

- 1 dog and --
- 2 A That was it, the dog and the one of my son.
- 3 BY [REDACTED]
- 4 Q What about rum, alcoholic rum?
- 5 A Rum? Yes, I brought rum in.
- 6 BY [REDACTED]
- 7 Q When was that?
- 8 A That was just a couple weeks before they got out.
- 9 BY [REDACTED]
- 10 Q And how did you do that?
- 11 A Just in a water bottle.
- 12 Q And your bag was not checked that day?
- 13 A No.
- 14 Q Okay.
- 15 BY [REDACTED]
- 16 Q What did they do with it?
- 17 A Huh?
- 18 Q Did they drink it there in the shop?
- 19 A I don't know if he drank it in the shop or if he
- 20 took the bottle back with him in his pocket, because they
- 21 would take their water bottles in their pockets.
- 22 Q Was there an inmate [REDACTED] at the time in the
- 23 shop, in the tailor shop?
- 24 A I'm trying to think if he was back in the shop.
- 25 Yes, he was. He had been removed from the shop one time

1 earlier because he had went on a visit, and he -- I don't
2 know if it's his son or whoever his visitor was, he got
3 caught passing drugs, so he was removed from my shop, but
4 then he come back, and I believe he was still in the shop
5 when I left.

6 Q Was he in the shop when the rum was brought in?

7 A I don't remember him. Matt's the only one that had
8 the rum.

9 Q And did Matt ever provide [REDACTED] with rum?

10 A I have no idea what he did. I don't know. I mean
11 I don't know if he give it to anybody else.

12 Q Was [REDACTED] in the shop at the time?

13 A Yes.

14 Q When the rum was brought in.

15 A Yes.

16 Q Now, was [REDACTED] given -- I'm sorry, was

17 [REDACTED], yeah, [REDACTED] given the rum and [REDACTED] charged to
18 be lookout while you were in T9 with Matt at the time?

19 A I know [REDACTED] had some, but I didn't know what he
20 was -- I didn't know that that's why he gave him rum.

21 Q Was there ever a time when [REDACTED] and [REDACTED] were in
22 tailor 9 and one was serving as a lookout while you and
23 Matt were in T9?

24 A [REDACTED] was holding a door one day when we went in
25 to get a part, and that's the first time that Matt grabbed

1 me and kissed me, and I jerked away.

2 BY [REDACTED]

3 Q And was Trombley there that day?

4 A No, it was --

5 Q It was another --

6 A It was another officer, because when Trombley was

7 there or when Officer [REDACTED] was there, they would take

8 them to tailor 9 to get the parts that they needed, if

9 they needed a part off of a machine.

10 Q So the CO would exit the floor and go into T9,

11 tailor 9, with the inmate.

12 A Yes.

13 Q And that was always [REDACTED] and Trombley's

14 practice?

15 A Yes.

16 Q But on this case --

17 A But I didn't have --

18 Q -- a different CO --

19 A I didn't have one. I didn't have one of my

20 regulars.

21 Q So do you know where they physically were when this

22 occurred, when that kiss occurred or --

23 A They were at their desk at the podium.

24 Q And even though you were -- even though you were in

25 T9 with --

- 1 A Yes.
- 2 Q -- Matt and that there was another inmate at the
3 door?
- 4 A Yes.
- 5 Q Okay, and you can -- I mean I've been in that
6 tailor shop, but you can -- is it fair to say --
- 7 A You can see.
- 8 Q -- that the CO would be able to see that
9 you're with --
- 10 A Yes.
- 11 Q -- two inmates?
- 12 A Yes.
- 13 Q Okay.
- 14 BY [REDACTED]
- 15 Q Is this at the point where you fear Matt or Matt
16 has made --
- 17 A Yes.
- 18 Q Yet, you're willing to go to T9 with him?
- 19 A Well, my officer wasn't my regular officer, and
20 they needed a part for a machine.
- 21 Q But still, wouldn't you be concerned for your
22 safety or if you fear Matt --
- 23 A Well, I had to have the part. I had to have the
24 machine working.
- 25

1 BY [REDACTED]

2 Q Couldn't you have asked the officer to go with the
3 inmate?

4 A I could have. I just, when it's a new one it's so
5 hard to because they don't really know the routine, so you
6 usually got to try and run your routine like you would if
7 you're -- I mean, but sometimes the new ones -- I mean
8 because sometimes you have to tell them that they even
9 have to take the inmates to go out to chow because -- and
10 they should already know that, but they -- I would have to
11 tell them when they call this tailor shop, you take these
12 guys out. Tell them that they're on deck, but it was kind
13 of like I had to tell the new ones the routine.

14 Q Did you still feel -- were you still depressed at
15 this point and liked the fact that Matt was showing you
16 attention?

17 A I liked the comments, but when he kissed me, I
18 didn't. I didn't want that.

19 Q Well, that probably startled you more than
20 anything.

21 A It did. It did. It startled me, and I ran out of
22 there.

23 Q Because you probably weren't expecting that.

24 A No, I wasn't expecting anything like that.

25 Q But you still had like, you know, you enjoyed him?

1 A It's not that I enjoyed him. It's, I guess, when,
2 you know, they told me, for a 51-year-old woman, I was
3 pretty, I guess it made me feel good.

4 Q Yeah.

5 A But I didn't enjoy it when he -- like you said, it
6 startled me when he kissed me.

7 BY [REDACTED]

8 Q Who was the officer -- I know there is another
9 incident in T9 when you're in there with Matt and there's
10 some -- and I don't care about the details -- there was
11 more, you know, sexual contact. We've talked about that
12 before. Where was the officer at that point?

13 A At the desk.

14 Q Was that Trombley?

15 A No.

16 Q It wasn't Trombley.

17 A No. Trombley was out at that time.

18 Q Who was this officer?

19 A It was just one of the fill-ins.

20 Q And the fact that you are in with, not just with
21 Matt, any inmate disappear into the back room, into the
22 next room and --

23 A Not to be mean, but I've had officers come in, sat
24 with their feet up on the desk, turn their back completely
25 away from the floor and go to sleep.

- 1 Q Um-hum.
- 2 A Not to be mean, but so for them not to really be
- 3 paying attention?
- 4 BY [REDACTED]
- 5 Q Specifically, I think your question is how long was
- 6 that encounter where you were separated from the CO?
- 7 A Not very long because --
- 8 Q Less than five minutes?
- 9 A Yes.
- 10 Q More than two minutes? What are we talking about?
- 11 A Maybe two or three minutes at the most, because --
- 12 Q Do you remember, did that CO, whoever it was, do
- 13 you remember if it was a man or a woman?
- 14 A It was a man.
- 15 Q Do you remember, did that CO eventually come to the
- 16 door?
- 17 A No.
- 18 Q Never.
- 19 A No, I come out before. The CO was still at the
- 20 desk.
- 21 Q And you don't have to go into a lot of detail, but
- 22 what was the encounter? What, if anything, did Matt ask
- 23 you to do?
- 24 A He asked me to suck his private part.
- 25 Q And you didn't yell out, though. You didn't yell

1 out for the CO.

2 A No, because there was another inmate standing right
3 there, and he literally grabbed me and shoved my head
4 down.

5 Q And do you recall who the other inmate was?

6 A I believe it was [REDACTED].

7 Q [REDACTED]? And, again, I wasn't there, so is he at
8 the doorway of T9?

9 A He's at the doorway.

10 Q [REDACTED].

11 A Yes.

12 Q And then how far in are you and Matt, if you
13 recall, when he did that?

14 A Probably, from me to the wall.

15 Q About ten feet?

16 A Yeah. It wasn't very far.

17 Q Okay. What were you feeling at that moment?

18 A Scared.

19 Q And how long did that -- how long after he forced
20 your head down did that go on before you were able to get
21 away?

22 A It was quick, and I got away.

23 Q Did he say anything to you after that? Matt.

24 A No.

25 [REDACTED] You mean, Matt --

1 Q Yeah, like, hey, we got to go back or anything like
2 that? Did he threaten you and say, hey, you've got to go
3 back and do more, anything like that?

4 A No. After that he wanted -- every time I went over
5 next to my locker to get something out of my locker, he
6 was right up there, and he wanted to -- he wanted to see
7 my boobs. He wanted to -- he kept trying to grab me.

8 Q And just for the record so it's clear, where is
9 your locker in relation to the desk, your -- what do you
10 call? -- the platform?

11 A My locker is on the other side of the tool locker.

12 Q Okay.

13 A The shadow box, so you would have the officer, the
14 shadow box, or the tool locker, and then my locker. And,
15 of course, when I'm opening my locker the door is here.

16 Q Um-hum.

17 A And I'm reaching in to get stuff, and he would come
18 up and try to grab me, or he would want to see my boobs,
19 and I would just tell him to get away.

20 Q So if the CO is at the platform, would he be
21 blocked by your open locker --

22 A Yes.

23 Q -- door?

24 A He wouldn't be able to see everything, no.

25 Q And did this happen on multiple days?

1 A Yes, there were two or three times that he tried
2 it.

3 Q Okay, and could other inmates see you from where
4 they were located?

5 A They should be able to because it was right in
6 front. I'm right in front, and where my locker is you can
7 see all of the -- all of the machines.

8 Q My concern is your safety, if one inmate sees
9 another inmate do that to you, or attempt to grope you or
10 grab you.

11 A Right.

12 Q Did any other inmates approach you and say --

13 A No.

14 Q Nothing like that ever happened.

15 A No, but I mean Matt would tell them that I was his
16 girl.

17 Q He would say that on the floor?

18 A Yes. I mean, I would have guys that even wanted --
19 like, if they wanted to talk to me about getting a pay
20 raise when their evaluations come up, they would have
21 to -- he would tell them they had to go through him before
22 they could talk to me.

23 Q And he would say that in front of you?

24 A Yes.

25 Q And did you correct him ever?

- 1 A Yes, I did, and he didn't like that.
- 2 BY [REDACTED]
- 3 Q Where is the officer when you're at your locker?
- 4 Matt's there doing his thing.
- 5 A At his desk.
- 6 Q Matt shouldn't be there, should he?
- 7 A No.
- 8 Q And so that sometimes --
- 9 A But Matt pretty much --
- 10 Q -- that's Trombley and sometimes -- it would have
- 11 been Trombley sometimes and maybe a fill-in other times?
- 12 A Right.
- 13 BY [REDACTED]
- 14 Q Would Matt try it more often when there was --
- 15 A When it was somebody other than --
- 16 Q -- a fill-in?
- 17 A Yes.
- 18 Q Because there was -- I don't want to put words in
- 19 your mouth. A new fill-in wouldn't know the procedures as
- 20 well?
- 21 A Right.
- 22 Q Is that fair to say?
- 23 A Right.
- 24 Q And they wouldn't know what was appropriate for an
- 25 inmate to be moving away from his desk?

- 1 A Right.
- 2 Q And the same with when he was in the back T9 with
- 3 you, correct?
- 4 A Yes.
- 5 Q It's your testimony that whoever the CO was, when
- 6 he attempted to force you to have oral sex, didn't even go
- 7 to the door.
- 8 A No.
- 9 Q Correct?
- 10 A He didn't.
- 11 Q Stayed on the platform while you were in T9 with
- 12 [REDACTED] at the door and Matt inside the room with you.
- 13 A Yes.
- 14 Q Okay.
- 15 BY [REDACTED]
- 16 Q Is it fair to say that the officers have not been
- 17 very tentative in your shop?
- 18 A Yes. The only -- I will say, the only two officers
- 19 that I ever had that were very good in my shop were
- 20 Trombley and [REDACTED]. They always were very -- they knew
- 21 where I was, when I was.
- 22 Q But you're saying -- but you just said Trombley
- 23 would be --
- 24 A No.
- 25 Q -- sitting there when Matt's trying to grope you at

1 your locker, and he shouldn't be there.

2 A I don't know if it -- I mean it could have been
3 Trombley, but, no, I'm just saying Trombley would know
4 where I was at all points.

5 Q Okay. Now, I know that -- again, I know this is an
6 uncomfortable subject, but I don't care about the details,
7 particularly, but I know there were times, multiple times
8 when Matt would approach your chair, your desk chair on
9 the platform, or next to the platform, and ask you to, you
10 know --

11 A Yes.

12 Q -- touch him. How often did that happen?

13 A Several times because it seemed like it became a
14 daily thing with him. He wanted me to tell him how much I
15 wanted it and how much I liked it. It's like he needed
16 his ego fixed or something. I guess that's how I can
17 explain it.

18 Q So he's coming up every day?

19 A Yes.

20 Q And when is this -- try to put this in a time
21 frame.

22 A At the end of the day when the officer is
23 collecting tools.

24 Q Okay, and Matt should not be up there by your desk.

25 A No. He should be over getting rid of his tools and

1 going and getting ready to leave.

2 BY [REDACTED]

3 Q Is it fair to say that just when all of the inmates
4 at the end of the day, end of their shift, they're all
5 collecting in front of the tool box to return their tools,
6 correct?

7 A Yes.

8 Q And that's something where the CO is occupied,
9 counting and returning those tags and returning the tools
10 and counting them, correct?

11 A Yes.

12 Q And that would be a good time, during that
13 distraction, for Matt to approach you, is that fair to
14 say?

15 A Yes.

16 Q And I don't want to put words in your mouth.

17 A No, no.

18 Q Because we're trying to figure out security lapses
19 and the time that people would have access to you or any
20 other tailor shop employee. And when he would come up to
21 your desk when that happened, when he would ask you to
22 touch him, how long did those encounters last?

23 A Not very long.

24 Q Would it be over a minute?

25 A No, about a minute.

1 Q About a minute.

2 A Yeah, because what he would do is he was wearing
3 his -- he would wear his coat in, and he put a hole in the
4 pocket of his coat, and then he would lean over and say,
5 "Grab it." And I would say, "No, because I don't want
6 to," and "Grab it." And then it's either you do and boost
7 his ego or listen to him.

8 BY [REDACTED]

9 Q When did this start, when he started coming over
10 and asking you to grab it?

11 A That was after the encounter in tailor 9 and the
12 one in the stairway where he -- when I was leaving one
13 day. Like I explained earlier, sometimes if it's after 25
14 after 3, we would leave and go downstairs, and the officer
15 would stay with the inmates? I went to leave one day
16 because that's what had happened. I didn't know that
17 inmate Matt had got out the door, and apparently the
18 officer that I had didn't either, because when you walk
19 out of tailor 1, you walk out, and then you come down the
20 stairway. There's like the wall and then the stairway
21 down. When I got to the turn on the stairway, all of a
22 sudden he popped up at the bottom of the stairs and
23 wouldn't let me by. And he grabbed me to kiss me, and I'm
24 no, no, no, and I'm trying to push him away, but he
25 grabbed me and kissed me, but I did get away, and I ran

1 down the stairs and got the hell out of there.

2 BY [REDACTED]

3 Q Were there any other tailor shop employees, not
4 like civilian employees like you, were there any other
5 workers that saw that?

6 A I don't think so.

7 Q Okay.

8 BY [REDACTED]

9 Q When was this in relation month-wise pre-escape?

10 A I don't know. It was just before it.

11 Q It was just before it or --

12 A Yes.

13 Q -- was it still cold outside? Do you remember what
14 you were wearing when you were running down the stairs?

15 A Just my jacket.

16 Q So it wasn't mid summer, if you had a jacket --

17 A No.

18 Q -- on. So it was what month, do you think?

19 A They got out in, what? June? Maybe, maybe, late
20 May?

21 Q Late May, so just before. Okay, and now that you
22 know that reference point, when did he start coming to
23 your desk at the end of the day and ask you --

24 A It would be about the same -- it would be about the
25 same time. That all occurred right about the same time.

- 1 Q So that occurred, the coming to your desk every day
2 occurred for about a span of two weeks?
- 3 A At least that.
- 4 Q Three weeks?
- 5 A No, two weeks would be about --
- 6 Q So it was right before they did the --
- 7 A Yes.
- 8 Q -- escape, okay. Now, putting that in perspective,
9 and I know the timing is difficult, what about the
10 occasions where you took pictures of yourself and made
11 copies and gave them to them?
- 12 A I gave them to them because Matt would not stop.
13 He goes, "I want those pictures. I want those pictures."
14 I'm like I'm not giving you pictures, but he wouldn't
15 leave me alone.
- 16 Q So you took pictures of your private areas?
- 17 A Yes.
- 18 Q And had that -- and you printed them out?
- 19 A Yes.
- 20 Q On your home computer printer?
- 21 A Yes.
- 22 Q Okay, and did you put them, when you transferred
23 them to Matt, did you put them in his little pull-out
24 drawer?
- 25 A Yeah, they were in an envelope in his drawer.

1 Q Okay, and timing-wise, when was that in this whole
2 scheme? If we start in January, and then they escaped in
3 June.

4 A That would have been after he did the -- where he
5 grabbed my -- grabbed me and wanted me to suck on his
6 private parts.

7 Q It would have been after that.

8 A Yes.

9 Q Okay.

10 [REDACTED] Do you mind if we take
11 a quick break?

12 [REDACTED] No, and need to make a
13 phone call, and I'm going to ask them to turn the
14 air off again.

15 BY [REDACTED]

16 Q Mrs. Mitchell, is there a time when you brought an
17 atlas, a road atlas of maps --

18 A Yes.

19 Q -- into the prison?

20 A Yes. I brought the atlas in because inmate Sweat
21 wanted a picture of the -- of New York State with major
22 highways on it.

23 Q I'm not talking about a separate, one-page map, but
24 an atlas.

25 A I know. I brought the atlas in, and Matt looked at

1 it to see if that is what Sweat wanted, and he said it
2 wasn't. So I printed off a map of New York State -- of
3 New York State with the major highways off on my computer.

4 Q Okay, so you brought the atlas in through the front
5 gate.

6 A Yes.

7 Q They didn't check your bag that day?

8 A No.

9 Q You shouldn't have maps in the facility.

10 A No.

11 Q Correct? You know that.

12 A No, you shouldn't.

13 Q Matt looked at it and said this is not what we need
14 and --

15 A Right.

16 Q What happened?

17 A I just took it back home with me, and I made a copy
18 of the map of New York State with the major highways off
19 the computer.

20 BY [REDACTED]

21 Q How big was this atlas? Could you just point to
22 something or document-wise that we can --

23 A About this size because it had the --

24 Q Eight and a half by eleven then?

25 A Yeah, the binder in it.

- 1 Q A pad of paper.
- 2 A You could just clip each.
- 3 BY [REDACTED]
- 4 Q So letter size?
- 5 A Yes.
- 6 Q A map, a traditional atlas size --
- 7 A Yeah.
- 8 Q -- book.
- 9 A Not the great, great big one, the next -- just like
- 10 this.
- 11 Q Okay, eight by eleven.
- 12 A Yeah, that you could --
- 13 BY [REDACTED]
- 14 Q Where did Matt review it?
- 15 A He took it back to his machine.
- 16 Q So right there in tailor shop he's looking at an
- 17 atlas?
- 18 A Yes.
- 19 Q And which CO is present on that day?
- 20 A I do not remember.
- 21 Q Was it when Trombley was still there?
- 22 A It could have been.
- 23 Q And Matt is spending time looking at an atlas while
- 24 in the tailor shop?
- 25 A Yes.

1 Q And no eyebrows are raised by this?

2 A Apparently not. If he didn't see it, he's not
3 going to -- he's not -- they can be looking at stuff at
4 their desk and not realize what they're looking at.

5 Q How long did Matt review the atlas?

6 A Just long enough to see if that is what they
7 needed, and when he said it wasn't, he told me it wasn't
8 what they wanted.

9 Q One minute, five minutes, ten minutes?

10 A Maybe, five, ten minutes, tops.

11 Q And how would he know if Sweat approved of this or
12 not? Was Sweat present at the time?

13 A No.

14 Q No, so how would he know if Sweat --

15 A Because, apparently, Sweat told him that what he
16 wanted was New York State with major highways, so he went
17 looking through the atlas to see, and he said that's not
18 what they want.

19 Q And it did not have New York State with major
20 highways in this atlas?

21 A It had -- it had something, but I don't remember
22 exactly what the map was.

23 BY [REDACTED]

24 Q Was it like a topographical map that showed
25 mountain ranges, or was it a map with just like a flat map

- 1 like that that showed roadways like we have in the back?
- 2 A It showed roadways.
- 3 Q So it wasn't like a mountain climber's map --
- 4 A No.
- 5 Q -- with elevations or anything like that?
- 6 A No, it wasn't anything like that.
- 7 Q Was it of the entire United States or --
- 8 A Yeah.
- 9 Q Was it specifically the United States, or was it
- 10 Mexico or Canada too?
- 11 A No, just the United States.
- 12 Q And you may have already said. Where did you
- 13 purchase that or where did you get it?
- 14 A Walmart.
- 15 Q Walmart, okay.
- 16 A Yes.
- 17 Q And so did each state, if you recall, have it's own
- 18 map?
- 19 A Yes.
- 20 Q Like Arizona and New Mexico?
- 21 A Yes.
- 22 Q Okay. Do the inmates, when they sit at their -- I
- 23 know they get a couple breaks.
- 24 A Yes.
- 25 Q A couple 15-minute breaks, I think?

- 1 A Yes.
- 2 Q Can they have their own reading material?
- 3 A They're not supposed to have reading material in
- 4 the shop anymore, but there are some that have magazines
- 5 that they've got stuck in there, and --
- 6 Q And that would occasionally happen even before this
- 7 atlas, is that fair --
- 8 A Yes.
- 9 Q -- to say? So is that an example of one of the
- 10 things that is not allowed that a --
- 11 A Yeah, technically --
- 12 Q -- CO should be stopping?
- 13 A They're not supposed to have any reading materials
- 14 in the shop anymore.
- 15 Q Well, other inmates -- I don't want to put words in
- 16 your mouth, but is it fair to say that other inmates at
- 17 times, before this encounter with the atlas, had read
- 18 other things, magazines of their own at their desks?
- 19 A Yes.
- 20 Q Okay, so automatically seeing somebody reading
- 21 something at their desk wouldn't have automatically caught
- 22 the attention of a CO, is that fair to say?
- 23 A No, it wouldn't have caught his -- it wouldn't have
- 24 caught his eye.
- 25 Q So when he was done with that, when Matt

1 specifically was done with that atlas, did he walk back up
2 to you and hand it to you at your --

3 A No, he left it --

4 Q -- platform?

5 A He left it in the box, and I grabbed it at chow
6 time.

7 BY [REDACTED]

8 Q I just want to make an observation and a question
9 about the atlas. I've listened to, I think, seven State
10 Police interviews that you were part of?

11 A Um-hum.

12 Q And --

13 A I might have described it wrong. I just --

14 Q No, they asked you, probably, a hundred times, to
15 tell you is there any aspect to tell, what you brought to
16 them. Is there anything that you haven't mentioned? In
17 all of those interviews, until the last one, you never
18 mentioned an atlas.

19 A I didn't think about it. I just thought about the
20 map of New York State.

21 Q Are there more things here that -- I mean, now it's
22 been six weeks since you were last questioned by anyone
23 else. Are there other things that we haven't mentioned
24 that you can remember now that you brought in?

25 A No.

1 Q An atlas is a significant thing.

2 A No, no, that was the last thing.

3 Q It just seems that's something that you would

4 remember, a road atlas.

5 A Well, I guess I --

6 Q An atlas full of maps. When they're asking you,

7 you know, about where these two guys might be, and all

8 this time -- seven, six interviews, hours and hours -- you

9 never mentioned an atlas. I mean did you deliberately not

10 tell them about the atlas?

11 A No, I just -- it was just the map of New York

12 State, that's all I was thinking. I didn't think about

13 the atlas.

14 BY [REDACTED]

15 Q You brought a number of items into the front gate

16 at this point that are contraband -- hacksaw blades, [REDACTED]

17 [REDACTED], a number of items. Now, you're walking in with a

18 rather large atlas in your bag. Are you concerned that

19 because even a very superficial search should reveal an

20 atlas.

21 A Yes.

22 Q And, yet, you're still doing it. It's right in

23 your bag when you're walking in.

24 A I was scared of what Matt would do. He threatened

25 to kill my husband.

- 1 Q When did he first threaten to kill your husband?
- 2 A When he said that, you know, I love you, and I told
3 him that I love my husband.
- 4 Q When was that?
- 5 A I don't remember exactly.
- 6 Q How close to the first set of hacksaw blades?
- 7 A It was very close to it.
- 8 Q So early on.
- 9 A Yes.
- 10 Q February, and yet --
- 11 A Yes, I -- I -- I messed up. I did mess up, I admit
12 that, but the man had threatened to kill my husband. And
13 inside a prison, the pull that he had, he could have got
14 anybody to do something to my husband, if he didn't do it
15 himself. And if he hadn't done it on the inside, he would
16 have done it on the outside. He, at one point, even
17 suggested, which I didn't tell my husband until just
18 recently, he had mentioned pushing him or putting him in
19 his truck and pushing it over a cliff and making it look
20 like an accident.
- 21 Q When he was outside the facility.
- 22 A Yes.
- 23 Q But you were giving him the means to get outside
24 the facility.
- 25 A I was playing along. I never intended to help him

1 get any farther. He was threatening my husband. He
2 wanted to know where my mother lived. He wanted to know
3 where my son lived. (witness crying)

4 BY [REDACTED]

5 Q Mrs. Mitchell, is there a time when, did you bring
6 a tape measure into the prison for them?

7 A No, I did not.

8 Q You're sure about that because --

9 A I am sure.

10 Q -- there was a tape measure found down in the
11 tunnel with the National Guard written on it.

12 A Well, then he took it out of my drawer, because I
13 had the tape measure in my drawer.

14 Q From your son?

15 A Yes.

16 Q Can you describe the tape measure?

17 A I believe it was just a little, square, white one
18 that you pull down.

19 [REDACTED] Let me get you some
20 tissues. Oh, you got some? Oh.

21 A Nobody knows how bad I feel.

22 Q I think we do, truly. So did you notice a tape
23 measure was missing one day?

24 A No, I never noticed it. I didn't know anything
25 about it until somebody said something when I was being

1 interviewed.

2 Q How about batteries, a battery for the glass
3 lights?

4 A The glasses.

5 Q How many of those did you bring in?

6 A I think there was a package of ten; that's how they
7 came with the glasses when you ordered them.

8 Q So that just that -- when you brought the glasses
9 in, you brought the batteries in?

10 A Yes.

11 Q And was there -- did you -- a time you brought more
12 when they needed more?

13 A No.

14 BY [REDACTED]

15 Q How did they get the batteries back to the cell?

16 A Matt put them in his hearing aid case.

17 Q He has a hearing aid?

18 A Yes.

19 Q Okay, can you describe the hearing aid case?

20 A It's just a little, square, black box.

21 Q That he keeps his hearing aid in?

22 A Yes.

23 Q So he put the batteries in that.

24 A I say it's black. I never actually saw it, but I
25 have hearing aids, so I'm just going by what mine looks

1 like.

2 Q Okay, how do you know he put it in a hearing aid
3 box if you never saw it?

4 A Because he said he was bringing over his hearing
5 aid box to put it in.

6 Q Okay, did he ever wear headphones that played
7 music?

8 A Yes.

9 Q Did he go back and forth from his cell to the
10 tailor shop with headphones?

11 A In his hand.

12 Q Yeah. They can go through security --

13 A Yeah.

14 Q -- that way?

15 A Yeah.

16 Q Do you know if he put any, any, anything that you
17 brought him?

18 A The [REDACTED] went into -- it wasn't his headphones.
19 It was one of the other inmate's headphones because they
20 were a bigger one.

21 Q And did you see --

22 A I see him doing that.

23 Q What inmate was that?

24 A That was inmate [REDACTED], the one that is no longer
25 at the facility.

- 1 Q Okay, so inmate [REDACTED] was aware then --
- 2 A I don't know if inmate [REDACTED] --
- 3 [REDACTED] Let her finish the
- 4 question.
- 5 Q -- was aware that inmate Matt had in his possession
- 6 a [REDACTED].
- 7 A I do not know if he was aware of it, because Matt
- 8 would just go grab his headphones and say he wanted to use
- 9 them.
- 10 Q Okay, so what you saw inmate Matt do with the [REDACTED]
- 11 [REDACTED], putting it in the headphones, you don't know if
- 12 inmate [REDACTED] was there watching?
- 13 A No.
- 14 Q Okay.
- 15 [REDACTED] No, you don't know, or
- 16 no he wasn't?
- 17 MRS. MITCHELL: No, I don't know.
- 18 Q Okay.
- 19 BY [REDACTED]
- 20 Q What about a micro knife, did Matt ask you for a
- 21 micro knife?
- 22 A He asked me to get one, but I didn't get it.
- 23 Q Did you do some research on it?
- 24 A I did research it.
- 25 Q And where are they available?

1 A They're available online, and what they look like
2 is a little credit card, but I did not get him any of
3 those.

4 Q And how did you explain that to Matt?

5 A I just told him that I couldn't get it.

6 Q So sometimes you would tell Matt that you just
7 can't -- you're not going to give him what he wants, and
8 other times you feel that --

9 A But he gets upset.

10 Q Did he get upset?

11 A Yes, he did.

12 Q And what did he do?

13 A Then he wanted a cell phone.

14 Q So then what did you do?

15 A He didn't get a cell phone, because I told him I
16 can't bring a cell phone in. I know I brought the other
17 stuff, but at one point I had to start saying no because
18 he had me already in over my head, but I had to save my
19 husband.

20 BY [REDACTED]

21 Q Is there a necklace you brought in for Sweat?

22 A Yes, it was a cross.

23 Q And where did you get that?

24 A I got it, I think I ordered it offline. I think
25 that's where I got it.

- 1 Q So a crucifix on a chain or --
- 2 A Yes. Or, actually, no, I take that back. I got
3 that out of the inmate magazine. He sent a picture in of
4 it, the magazine that they have that they can order stuff
5 out of.
- 6 Q That Sweat had sent you the picture of it and asked
7 for it?
- 8 A Matt brought the picture in and said this is what
9 to order.
- 10 Q And then what? You brought it just in your bag one
11 day?
- 12 A Yup.
- 13 Q And handed it to Matt?
- 14 A Yes.
- 15 Q And --
- 16 A Matt said he was keeping it for himself, but then
17 apparently he give it to Sweat.
- 18 BY [REDACTED]
- 19 Q Mrs. Mitchell, if the prison itself had done
20 regular -- where they would take civilian workers, like
21 yourself, where they would do like a body scan or have you
22 walk through a magnetometer, would you still have tried to
23 get those items in?
- 24 A No, I would not have.
- 25 Q If they had physically looked inside your bag and

1 dumped all the contents out and gone through your bag,
2 would you have tried to get those items in?

3 A No.

4 Q Was part -- and I don't want to put words in your
5 mouth. Was part of the reason that you continued to bring
6 things in because it was so easy to get them in through
7 security? You knew that no one was going to stop you at
8 the front gate?

9 A Yes.

10 Q Did you ever have discussions with Palmer about
11 that, that it's very easy to get things in?

12 A No.

13 Q Did you have any discussions with other tailor shop
14 workers about I never have any trouble, I know I can get
15 these things in?

16 A No.

17 Q Were there ever any other COs besides Palmer that
18 were bringing stuff back and forth to Matt or Sweat?

19 A No.

20 Q Were there any other COs that you knew that asked
21 Matt for anything, paintings, anything inside that he
22 could get or use Matt to carry things in for them?

23 A Not that I know, but like I told you, I mean I know
24 Matt said he did a lot of paintings for a lot of other
25 officers, but who they are, I don't know.

1 Q And you specifically never asked to follow up on
2 who they were.

3 A No.

4 Q And would he brag about that?

5 A Yes, he would.

6 Q And why do you think he was telling you that?

7 A Probably to show that he has power and he can do
8 whatever he wanted.

9 Q Do you recall, did Trombley ever tell you that you
10 should go through like the superintendent to get paintings
11 out, that you should do it the right way, don't go through
12 Palmer?

13 A No.

14 Q You don't remember that conversation at all?

15 A No.

16 BY [REDACTED]

17 Q What about yeast, did you provide Matt or Sweat
18 with yeast?

19 A With yeast?

20 Q Yes.

21 A I think I did one time.

22 Q And sugar?

23 A I don't remember sugar, but I could have.

24 Q And juice?

25 A No juice.

- 1 Q No juice, okay. Do you know what the yeast was
2 for?
- 3 A They said they were making something.
- 4 Q Okay, do you know what that something was?
- 5 A No, but they were always cooking, so I just assumed
6 that they were just cooking something that they were going
7 to eat.
- 8 Q Okay, and cookies and brownies, you would bring
9 that in regularly?
- 10 A Not regularly, but --
- 11 Q How often?
- 12 A Not very often. I mean, all of the civilians, if
13 they, instead of throwing food out, they would let an
14 inmate have it. No, we're not supposed to, but instead of
15 throwing it out. But, yeah, I've made brownies and
16 brought them in, but it wasn't a regular thing, just every
17 now and then.
- 18 Q So apart from being extra food that you're going to
19 throw out, but you also made brownies --
- 20 A Yes.
- 21 Q -- and brought them in? What about fried chicken?
- 22 A Yes, they did get fried chicken too.
- 23 Q And who was that for?
- 24 A That was for Matt.
- 25 Q What about for Sweat?

- 1 A Well, he was going to share it with Sweat.
- 2 Q What about when Sweat was in the T shops, was there
3 ever a time when you gave him fried chicken?
- 4 A Not when he was in my shop, no.
- 5 Q This is when you were going to many of the shops
6 early on, do you recall a time bringing in --
- 7 A No.
- 8 Q -- fried chicken? No? Other inmates reported that
9 you in fact brought him fried chicken, and I think it was
10 T3?
- 11 [REDACTED] Um-hum.
- 12 Q T3.
- 13 A No, because when I was in T3, Sweat was not in T3,
14 because I was only a relief in there when he was in there.
15 And then when it was my shop, I had inmate [REDACTED] for an
16 instructor at first, and then after [REDACTED] I had inmate
17 [REDACTED].
- 18 Q But when you were a relief.
- 19 A No, I didn't bring in --
- 20 Q Okay. What about candy for Matt, would you bring
21 in candy for Matt?
- 22 A Yes.
- 23 Q Place it in his box?
- 24 A Yes.
- 25 Q And this wasn't commissary candy. This is outside

1 candy.

2 A Yes, but it was only a couple of times, and he
3 always had his own candy, anyway, because all the other
4 inmates were coming and getting his candy.

5 Q What about work gloves, did you pick up some work
6 gloves for either Matt or Sweat?

7 A I got the workout gloves for Sweat.

8 Q And --

9 A They were just black ones.

10 Q I'm not talking about the -- this barroom gloves.

11 A No, no, they were just black, like I guess driving
12 gloves, if that's -- no, they're mechanic gloves.

13 Q Okay, mechanic gloves?

14 A Those kind of ones because he was lifting weights.
15 Matt said he needed them for lifting weights.

16 Q What about cargo pants, black cargo pants?

17 A I bought them, but I never took them. They were --
18 I actually told the State Police where they were in my
19 house, and as far as I know the State Police took them.

20 Q And is the first pair that you brought, is that the
21 pair that Sweat wanted?

22 A That's the pair that Sweat wanted.

23 Q Wasn't there a problem with the button-fly jeans
24 versus the zipper?

25 A Huh?

1 Q Didn't Sweat dislike the button-fly jeans and he
2 wanted to return them for another pair of cargo pants?

3 A No. I had ordered those by mistake when I ordered
4 my husband's, because there were pants that were in that
5 same bag that were supposed to be for my husband for his
6 birthday. I had them all in the same bag.

7 Q Okay.

8 BY [REDACTED]

9 Q Did you bring the bag into work?

10 A No.

11 Q I mean how would Sweat know about what pants you
12 bought your husband?

13 A He wouldn't know what I bought my husband.

14 Q Right, so that's why I'm confused.

15 A I bought the black cargo pants, and when I ordered
16 Levi's for my husband I thought I ordered the zipper ones,
17 but I got the button ones by accident. I bought them off
18 of E-Bay because you can go buy Levi's on E-Bay for less
19 than half the price. And when I ordered them, I thought I
20 ordered the zipper, and when I got them, they were button.
21 So I said, well, I got to order more, but then I didn't
22 order more. I just went to Walmart and bought a cheap
23 pair for my husband. The pants were all upstairs, and I
24 told the State Police right where they were, in the bag in
25 the red tote underneath the window.

- 1 Q Okay, I was just confused because Sweat was saying
2 you ordered the wrong pair for him, so I don't --
- 3 A No.
- 4 Q -- understand. Did you --
- 5 A The only pair I ever ordered for Sweat was the
6 black cargo pants. He wanted Levi's too, but I never
7 ordered the Levi's for him.
- 8 Q Did you mention in conversation with Sweat that,
9 oh, I ordered the wrong pair for my husband?
- 10 A No, because I never talked to Sweat.
- 11 BY [REDACTED]
- 12 Q Did you mention it to Matt?
- 13 A I mentioned to Matt that I bought the cargo pants,
14 but I didn't say anything about the Levi's. Matt wanted
15 me to buy him Levi's, but I never bought his pants.
- 16 Q So you only bought Sweat's pants --
- 17 A Right.
- 18 Q -- and not Matt, and yet Sweat knows about the
19 button-fly jeans, and you didn't tell him?
- 20 A No, I didn't.
- 21 Q And you didn't tell Matt.
- 22 A I might have told Matt, I don't remember, but --
- 23 Q Okay.
- 24 A I could have in conversation, I don't know.
- 25 Q Okay.

- 1 A But the button ones were supposed to be zipper ones
2 for my husband.
- 3 Q And so you got prepared for Sweat to leave --
- 4 A No.
- 5 Q -- the facility.
- 6 A Not completely, because he wanted the black cargo
7 pants. He wanted certain shirts. I did purchase the
8 black cargo pants, and I never purchased anything else
9 because I wasn't going to pick them up.
- 10 Q Did you also obtain photos of another female for
11 Matt?
- 12 A There was supposed to be a female sending pictures
13 that Matt wanted, but I never got them.
- 14 Q You never received the photos?
- 15 A I never received them.
- 16 Q And if you did not receive them, you could not have
17 delivered them to Matt.
- 18 A Right. She could have sent them herself to him,
19 but I never received any.
- 20 Q Were you present on February -- in early February
21 when Matt went for a medical call-out?
- 22 A I could have been. I don't know why.
- 23 Q Do you recall Matt suddenly leaving the tailor shop
24 for a medical call-out, some urgent issue? Sciatica?
- 25 A That was something to do with his back.

- 1 Q Yes.
- 2 A Yes.
- 3 Q Do you recall that?
- 4 A Yes. He was out for a few days.
- 5 Q And do you recall when he left? Do you recall when
- 6 he left the tailor shops?
- 7 A No.
- 8 Q You didn't see that?
- 9 A I would have had to have been there to see him, but
- 10 I can't remember exactly. I know he was out for three,
- 11 four days.
- 12 Q If that were the case, an escort would have to come
- 13 down and escort him out to medical?
- 14 A Yes.
- 15 Q And so you have no recollection of that happening?
- 16 A No. It might have been a day when I was out too.
- 17 Q Okay.
- 18 [REDACTED] Did you want to ask
- 19 something about Officer [REDACTED]
- 20 [REDACTED] Yeah.
- 21 BY [REDACTED]
- 22 Q Do you recall when it was posted that Officer [REDACTED]
- 23 was going to take over for Trombley and get --
- 24 A Yes.
- 25 Q -- that bid? Where did you see that posting?

- 1 A Where they all always do the postings.
- 2 Q Is that in the -- where you punch out?
- 3 A Yes.
- 4 Q In that area of the administration building? What
- 5 was your reaction seeing [REDACTED] name listed as the bid
- 6 officer, the new bid officer?
- 7 A I wasn't happy because [REDACTED] and I had had issues
- 8 when he was being sarcastic to me in another shop, and we
- 9 just didn't click, that's all.
- 10 Q Do you remember saying something at the time when
- 11 you saw that posting to other people?
- 12 A I probably said I wasn't happy about it.
- 13 Q And that there were several people present when you
- 14 said something to the effect that he's not good for the
- 15 shop? He's not -- he's not -- I don't want to put words
- 16 in your mouth. Do you remember what --
- 17 A Because he's wishy washy.
- 18 Q -- you said? What does that mean to you?
- 19 A What that means to me is he's an officer that comes
- 20 in one day, does what he's supposed to do, do the right
- 21 job, and then the next day he's buddy buddy with -- you
- 22 know, one day he's threatening to lock him up; the next
- 23 day he's hee-hee and giggling with him.
- 24 Q And when did you have contact with him that -- this
- 25 is from your experience with him or from things you've

- 1 heard from other people?
- 2 A No, this is the experience that I've had with him.
- 3 Q When he's been a fill-in officer?
- 4 A Yes.
- 5 Q Had he been a fill-in officer at tailor 1?
- 6 A Yes, he had.
- 7 Q Was there another tailor shop where you were --
- 8 A In tailor 2.
- 9 Q It was in tailor 2, okay. So when he would fill
- 10 in, would that be for the week, or would that be for a
- 11 couple weeks?
- 12 A No, just --
- 13 Q Just a day?
- 14 A It might be a day or so, but I mean the rules that
- 15 he had in tailor 2, he would laugh and joke with the
- 16 inmates over there, but when he came into my shop, it was
- 17 like it went from laughing and joking over there to he was
- 18 going to write my guys up and fire them.
- 19 Q When you say your guys, do you mean the --
- 20 A The workers.
- 21 Q -- inmate workers?
- 22 A Yeah, the inmate workers.
- 23 Q Okay.
- 24 A Just like Miss [REDACTED] workers in her shop.
- 25 Q Did he actually write up workers more than normal?

1 A I don't know about the other shops. He -- I mean
2 he came into my shop one day, and he was threatening to
3 write up my workers and fire them because they weren't
4 working, but we were transitioning from one product to
5 another, so some of the guys didn't have work. And I told
6 him, I said, You can't write them up for not having work.
7 I can if I want to. So I mean, that's what I mean when I
8 say wishy washy, because, like I said, he was going to
9 write these guys up for not working when they don't have
10 work to do.

11 Q And would it be those experiences that caused you
12 to have a bad reaction when you saw his name --

13 A Yes.

14 Q -- posted? And you may have made a scene, a little
15 bit of scene in front of other people?

16 A I may have, but I'm not the first civilian to do
17 that with officers.

18 Q But, specifically, this related to Officer [REDACTED]

19 A Yes.

20 Q Had you talked to Trombley before, knowing that he
21 was going to leave?

22 A Yes, I did.

23 Q Okay, and in the tailor shop, is it fair to say --
24 and I'm not going to put words in your mouth -- [REDACTED]
25 started the week of the escape, is that correct?

- 1 A Yes.
- 2 Q And you were notified by Sweat, through Matt, I
3 think, of the -- or Matt may have said directly to you the
4 actual day that they were going to escape, correct?
- 5 A Yes.
- 6 Q And what did he tell you?
- 7 A He just said, "Today's the day."
- 8 Q And was [REDACTED] in the shop that day?
- 9 A Yes, he was.
- 10 Q And you certainly didn't tell [REDACTED] that inmates
11 were --
- 12 A I didn't say anything. I didn't even go near Matt
13 the rest of the day.
- 14 Q But just so it's on the record, you didn't
15 specifically say you knew what he meant, "Today's the
16 day," Matt meant that we're going to escape?
- 17 A Yes.
- 18 Q Correct? And then [REDACTED] was working that day, but
19 you did not tell [REDACTED] that the two inmates were planning
20 to escape, correct?
- 21 A No, I did not tell him.
- 22 Q And also that day, that Friday, did there come a
23 time when you questioned [REDACTED] authority while he was on
24 the floor or he was on the platform and you were on the
25 floor with the men?

1 A When he threatened to fire -- or to write up and
2 fire the guys that didn't have work to do.

3 Q What did you do?

4 A I told him, I said, "You can't write them up and
5 fire them for not having work to do. I can if I want to."
6 And I got in an argument with him. And then I called my
7 boss, Scott Scholl, and I told him, I said, "We need to
8 talk to the sergeant." And Scott Scholl said he would
9 call him and he would get back to me. And the next thing
10 I knew, Brad Streeter come in, and he said something to me
11 about it. He said, "You need to get along with him." I
12 said, "Well," I said, "He can't sit here and threaten to
13 fire my guys when I don't have any work for them." I
14 said, "You know yourself, you've worked in the shop
15 before. And he said, "Well, you have to get along with
16 him." I said, "The hell I do, if he's going to threaten
17 to fire my workers when they don't have any work to do."

18 Q And did that exchange with Streeter happen on the
19 tailor shop floor?

20 A Up at my podium.

21 Q Could other inmates have heard that?

22 A No. Well, maybe they could have.

23 Q Possibly.

24 A Possibly.

25 Q Were you concerned at all that, [REDACTED] being a new

1 officer, at least in the tailor shop, he was going to be
2 the new bid officer, you were challenging him openly on
3 your tailor shop floor in front of inmates; did that
4 concern you at all?

5 A We were at the podium when I told him that.

6 Q You were next to him when you were having that --

7 A I was right next to him at our desk when I had said
8 that to him.

9 Q Do you remember before [REDACTED] actually started as
10 the bid officer for tailor shop 1, do you remember
11 approaching Mary Lamar, CO Lamar and asking for her help
12 in getting [REDACTED] out of that assignment?

13 A I never talked to Mary.

14 Q Never.

15 A I very seldom ever talk to Mary. The only time I
16 ever talked to Mary is when she was doing Gene's job when
17 she come in and --

18 Q Just for the record, who's Gene?

19 A Palmer, her boyfriend.

20 Q When she was doing Gene's job, meaning --

21 A Yes.

22 Q -- the same kind of assignment as an escort
23 officer.

24 A Yes.

25 Q We had to make it for the record. They wouldn't

1 understand.

2 A The only time I ever really talked to Mary was when
3 she was in there, because she would come in, and she would
4 sit while they were going out to make sure every inmate
5 left. And then she would go to tailor 2 and do the same
6 thing over there.

7 Q Do you remember -- you never talked to her about

8 [REDACTED]

9 A No, I never talked to her about [REDACTED]

10 Q But Lamar talked to you about the way you were
11 dressed, your clothing. She confronted you on your
12 clothing, didn't she?

13 A She never said anything to me about my clothing.
14 The only civilian they ever approached, and that was Gene
15 Palmer, was [REDACTED] down in tailor 4.

16 Q Who's [REDACTED]?

17 A The civilian that runs tailor 4.

18 Q Do you know her last name?

19 A No.

20 Q I don't mean to put you on the spot. What are
21 [REDACTED] -- what are her duties? What does she do?

22 A She does the same thing as me.

23 Q But in a different tailor shop.

24 A Yes.

25 Q And go ahead, I interrupted you. What did Palmer

1 say about [REDACTED]?

2 A Palmer suggested to her that she wear a smock over
3 her top because her tops were revealing.

4 Q And how do you know that? Did Palmer tell you that
5 conversation?

6 A No. One of the other officers said that Palmer had
7 spoken to her about it.

8 Q How did that come up? What prompted that officer
9 to tell you about that conversation between Palmer and
10 [REDACTED]?

11 A I don't know, we were talking one day, and somebody
12 said something about somebody wearing their clothes too
13 tight, and they said that Palmer had spoken to her.

14 Q But wasn't that conversation specifically about
15 your clothing --

16 A No.

17 Q -- that prompted the discussion about Krystal too?

18 A I've never had anyone say anything about my
19 clothing.

20 Q No supervisor's ever confronted you about your
21 clothing?

22 A Not confronted me, no.

23 Q They never addressed it in a --

24 A I had one supervisor say something about me wearing
25 tight jeans one day, but my jeans weren't as tight as

1 hers.

2 Q But I mean when they're doing your like yearly
3 review, they've mentioned that you've had --

4 A No.

5 Q You dress provocatively?

6 A No.

7 Q No one ever said that to you?

8 A No.

9 BY [REDACTED]

10 Q Who was the supervisor that said your jeans were
11 tight?

12 A That was [REDACTED], [REDACTED].

13 BY [REDACTED]

14 Q Before Scholl, who was the --

15 A [REDACTED].

16 Q And is there a Pro -- how do you pronounce his
17 name? A male with a P last name? Was there --

18 [REDACTED] [REDACTED] (sic), [REDACTED]?

19 A [REDACTED]?

20 Q [REDACTED]?

21 A [REDACTED]?

22 [REDACTED] Who is that?

23 Q Who's that?

24 A He's a dep.

25 Q Oh, dep.

1 A Dep of something.

2 Q Do you know what that person's position was?

3 A He was just a dep.

4 BY [REDACTED]

5 Q Security or civilian?

6 A No, he was up in administration.

7 Q Security.

8 A Yes.

9 BY [REDACTED]

10 Q Do you remember that person talking about dress,

11 just generally, and demeanor with inmates?

12 A Never said anything to me.

13 BY [REDACTED]

14 Q Apart from him saying anything to you, did you

15 dress -- did you start dressing differently in the shop in

16 the last few months?

17 A No, I always dress the same.

18 Q You didn't start dressing in a way to, you know,

19 make yourself look more attractive?

20 A No, I always dress the same.

21 Q Always dress the same.

22 A Yes.

23 BY [REDACTED]

24 Q Had you lost a little bit of weight in that --

25 A Yes, I have lost weight.

1 Q And did you buy new clothing once you had the
2 weight loss?

3 A Yes.

4 Q And was some of the -- is one of the shirts that
5 you wore like a white, it was a white shirt that had lace
6 that was kind of form-fitting? Do you recall that shirt?

7 A No.

8 Q Nothing like that?

9 A I always had something that covered me. You can
10 ask my officers.

11 [REDACTED] They probably have.

12 Q But Matt -- but Matt specifically -- Matt had
13 specifically been asking you to show him your breasts --

14 A Yes.

15 Q -- at that point.

16 A But I didn't.

17 Q But, I mean would there have been clothing that
18 silhouetted your figure that would have --

19 A Not any more than anybody else that walked around
20 there.

21 Q But I'm saying, did any supervisor redirect you or
22 say -- even if they didn't say there was a concern but
23 there's a manner of dressing for civilian females in a
24 tailor shop?

25 A No.

1 Q Or any civilians.

2 A Never said anything to me.

3 Q And no other coworkers had said anything to you?

4 A No.

5 BY [REDACTED]

6 Q If I can -- [REDACTED] brought up the Friday before

7 the escape. You were concerned with [REDACTED] writing up your

8 guys?

9 A Yes.

10 Q Was Matt one of your guys?

11 A No, he wasn't -- no, he wasn't one of the ones that

12 [REDACTED] was talking about.

13 Q So at no time was [REDACTED] going to write up Matt for

14 anything since --

15 A Not that I know of.

16 Q -- [REDACTED] was in that?

17 BY [REDACTED]

18 Q How did you know who he was going to write up?

19 A Because it was my back row. It was my sergeants, and

20 they didn't have any work.

21 Q What do the sergeants do?

22 A They actually sew the pants together so that we

23 can -- they sew the crotch area, and they sew the pants

24 together so the rest of the pants can be put together.

25 And if they don't have work, then the rest of the guys

1 aren't going to have work, and those are the ones that he
2 was talking about.

3 Q Okay.

4 BY [REDACTED]

5 Q So he did not ever have a confrontation with inmate
6 Matt?

7 A Not that I know of. Not in the shop. I do know
8 that there were issues over in the block.

9 Q Oh.

10 A When [REDACTED] worked over in the block, but --

11 Q With inmate Matt.

12 A Yes, because I know Matt made the comment that he
13 was going to have Palmer talk to [REDACTED]

14 Q What do you think that meant?

15 A It was probably to leave him alone and do the same
16 thing that Palmer does, you know, let him out on the
17 weekends and do their showers, because it's my
18 understanding that [REDACTED] was one of the ones that didn't
19 do the shower thing on the weekends.

20 BY [REDACTED]

21 Q So Palmer was going to talk to [REDACTED]

22 A That's what Matt said.

23 Q Okay, and then Palmer would address that with [REDACTED]
24 and say this is how it's going to be.

25 A Yes.

- 1 Q Because Palmer was more powerful and many more
2 years' experience of [REDACTED] who's younger.
- 3 A Yes.
- 4 Q And you knew that that would most likely be the
5 conversation.
- 6 A Yes.
- 7 Q There's a point when Matt gives you the pills to
8 bring home?
- 9 A Yes.
- 10 Q And how did he -- how did he -- how did he get the
11 pills, if you know, into the tailor shop?
- 12 A I believe they were his prescription for his back,
13 because they were in a little brown bag, when they go to
14 medical, they put their pills in.
- 15 Q And did you see what the pills said on them?
- 16 A I never looked at them.
- 17 Q Okay, and then where did he physically -- where
18 were you when he physically gave them to you? Did he
19 leave them in your drawer?
- 20 A He put them in my drawer.
- 21 Q And did he tell you I just put the pills in your
22 drawer?
- 23 A Yes.
- 24 Q And did he tell you what that was for?
- 25 A I was supposed to give them to my husband to knock

1 him out, but I had no intention of giving them to my
2 husband.

3 Q But that was going to be on the day of the escape?

4 A Yes.

5 Q So you were to bring them back on the 5th, just so
6 I'm clear, bring them back on the 5th, give them to your
7 husband to knock him out, and what was Matt's plan that he
8 stated to you?

9 A Well, he first told me that he was going to go back
10 and kill my husband.

11 Q After they got out and you --

12 A After they got out.

13 Q -- picked them up. Okay, and you would pick them
14 up -- the plan was, at least, did Matt say to you that you
15 would pick us up and we would drive back to your house?

16 A Yes.

17 Q And he said that to you in one of your --

18 A In one of my conversations with him, yes.

19 Q Okay, and had he said that -- did he say that he
20 had spoken to Matt about doing that as well, that Matt
21 would assist -- I'm sorry, that Sweat would assist Matt in
22 doing that, in killing your husband?

23 A No. He just said it was going to be him.

24 Q It was going to be Matt --

25 A Yes.

1 Q -- specifically. Okay, and I know this is macabre.
2 It's tough to talk about, but what did Matt -- did Matt
3 say how he was going to do it?

4 A He just said he was going to knock him over the
5 head, and he was going to shoot him. He wanted me to
6 bring him a gun, and I told you, I only kept going with
7 him so that they wouldn't hurt him. I was never going to
8 go pick them up and let him do anything to my husband.

9 Q But you must have been terrified that night when
10 you were with your husband.

11 A I was.

12 Q And --

13 A I was very terrified.

14 Q Did that cause you heart problems?

15 A Yes.

16 Q Physically, enough that you went to the hospital,
17 and during that entire time were you concerned or afraid
18 that they would be heading to your house?

19 A I didn't know where they would be headed.

20 Q Did you at any time tell them --

21 A They had no idea.

22 Q -- the address of your house or location?

23 A They had no idea where I lived, as far as I know.

24 Q Did you know or were you concerned that maybe
25 Palmer knew where you lived?

- 1 A No.
- 2 Q Okay.
- 3 A I don't even know where Palmer lives.
- 4 Q And when you brought the pills home, how did Matt
- 5 say to give them to him? How would you give pills to your
- 6 husband without him knowing?
- 7 A He said crush them up and put them in the ice cream
- 8 or something like that.
- 9 BY [REDACTED]
- 10 Q Why did you bring the pills home?
- 11 A Because I knew if I got rid of them, I knew he
- 12 would be looking in the drawer because he watched every
- 13 move I made. He watched every move my husband made. He
- 14 had inmates reporting back to him. If I went downstairs
- 15 to the office, he knew I was in the office and what I was
- 16 doing.
- 17 Q Did he know what you were doing outside the
- 18 facility?
- 19 A I don't think so.
- 20 Q What if you chucked them out the car window, the
- 21 pills?
- 22 A He probably would have known.
- 23 Q Why do you bring them home?
- 24 A Because I had them in my pocket, and I even forgot
- 25 that they were there, and when I got home I flushed them.

1 I had no intention of giving them to my husband, none
2 whatsoever.

3 Q You forgot that the pills that you were given to
4 put your husband to sleep, you forgot that you even had
5 them?

6 A Yes, because when I got home I just -- they were in
7 my bag, and I just forgot that I had them.

8 Q And when did you flush them?

9 A When I went and got my bag, and when I noticed
10 them, I took them and I flushed them.

11 Q The same day or another day?

12 A The next day, because that's when I even noticed
13 them in my bag.

14 BY [REDACTED]

15 Q Okay, I have to you say I'm having a hard time
16 believing that. I mean up until this point, I've been
17 okay, but let's think about it. Someone gave you pills?

18 A He was watching every move --

19 Q I understand that.

20 A -- I made.

21 Q I understand that, but they gave you pills to knock
22 out your husband, and you brought them home and you
23 forgot? I mean I would be petrified. Like, I would be
24 looking at the bag the whole time, like, oh, my God,
25 they're in there.

- 1 A I threw them in my bag and I forgot.
- 2 Q You forgot.
- 3 A I just take my bag, and I toss it at night. I
- 4 don't even take my stuff out of it.
- 5 Q But was that still on your mind, like, oh, my God,
- 6 they want me to poison my husband, to knock him out?
- 7 A Yes, that was always on my mind. I had no
- 8 intentions of ever hurting my husband. I love my husband.
- 9 Q I'm not doubting --
- 10 A And nobody wants to believe anything I say.
- 11 Q No, we are, we are, we are, and that's why we're
- 12 here, but you have to understand the perspective --
- 13 A I know what it sounds like.
- 14 Q The perspective we're coming at is different than
- 15 all of the interviews you've had with the State Police.
- 16 A But you have to remember, he watched everything.
- 17 He probably even had somebody outside watching everything
- 18 I was doing.
- 19 Q But at this point the only thing you can do is help
- 20 us move forward. You've said you're sorry for what you've
- 21 done. I know you have to live with that, but you can do
- 22 some good here, you can.
- 23 A What good can I do --
- 24 Q You can help us -- you can help us identify all of
- 25 these breaches, but the only --

- 1 A I don't know.
- 2 Q But the only way you can do that is if you are 100
3 percent honest.
- 4 A I am being honest. I took the pills home, because
5 if he had seen that I had taken them out of my drawer at
6 work and flushed them at work, he would have been right on
7 me questioning what I did with them.
- 8 Q I understand that. I'm just having a hard time
9 believing that you forgot about them when you got home.
- 10 A I did, I just completely forgot that I had them
11 because I didn't plan on using them. (witness crying)
- 12 BY [REDACTED]
- 13 Q Was there a time in the shop where Matt overheard
14 you disparaging your husband?
- 15 A I was being a smart aleck. Every husband and wife
16 have arguments and say, I can just kill him, you know?
17 Every couple does that. I didn't mean anything by it.
- 18 Q Did you refer to your husband to Matt as the
19 glitch?
- 20 A No, he called him the glitch.
- 21 Q That wasn't your word?
- 22 A No, it wasn't my word; it was his.
- 23 Q Could he have gotten the idea from you that you
24 wanted your husband dead?
- 25 A No, not unless when I was being a smart aleck. I

1 never meant --

2 [REDACTED] Just take a moment. I
3 don't know if she can hear you with you covering
4 your mouth like that. Just take a minute here.

5 Q I understand this is a difficult subject. I just
6 feel we have to ask a few questions about it.

7 A I never wanted my husband dead.

8 Q Did you ever say something like he's worth more to
9 me dead than alive?

10 A No.

11 Q Use those words?

12 A I never did.

13 Q Sweat told us that getting rid of Lyle was your
14 idea in the first instance.

15 A No, it was not my idea; it was Matt's. Look, I
16 know I screwed up, but --

17 [REDACTED] Just answer his
18 questions. You've said that several times.

19 Q Was there -- at some point were you going along
20 with this idea to get rid of your husband and then change
21 your mind at the end?

22 A No. I never wanted to kill my husband. I might
23 get upset with my husband, but every married couple does
24 that, but I never wanted to kill my husband.

25

1 BY [REDACTED]

2 Q Could it even have been perceived by Matt that
3 you're play-acting and you're venting to him, and you're
4 saying, oh, my God, I could kill my husband; it's just
5 kind of exciting to talk openly about it, but you never
6 intended to do it in fact, but you interacted with Matt
7 about that, and you're talking back and forth, could that
8 have happened and he misinterpreted it?

9 A He could have misinterpreted it, but I never --

10 Q But you understand our concern security-wise.

11 A I understand.

12 Q You're a tailor shop employee, and this is
13 important, because you're a tailor shop employee and you
14 are in contact with very danger individuals in a maximum
15 security prison, and it would help in training or if you
16 had any refresher training concerning certainly not
17 mentioning personal details about your life or your
18 relationship with your husband, but, more specifically,
19 that you don't talk about those sorts of things in front
20 of -- that you don't talk about those things on the floor
21 in front of other inmates.

22 [REDACTED] That's a good question.

23 I don't know if she heard it.

24 [REDACTED] Give her a second.

25 [REDACTED] Do you need to take a

1 minute?

2 MRS. MITCHELL: No.

3 [REDACTED] Do you want the young
4 lady over here to read the question back to make
5 sure you understand it?

6 MRS. MITCHELL: I just want to get
7 this over with.

8 [REDACTED] No, I know, we all do,
9 or at least I do. They may not, but I do. She'll
10 read it back to you. I want to make sure you hear
11 it and understand it. Okay?

12 [REDACTED] I can try to rephrase it.
13 It may be easier to do it that way.

14 [REDACTED] Make sure -- just
15 listen and make sure you understand it.

16 BY [REDACTED]

17 Q Ms. Mitchell, you understand our concern,
18 security-wise, that a person working with inmates, a
19 civilian working with inmates, talking about -- even
20 talking about the fact that they have a husband, much less
21 even flippantly saying, oh, sometimes I wish Lyle was
22 dead, or something like that, is something that could --
23 that an inmate could latch onto and use against a civilian
24 worker to threaten like he did in this case. Do you see
25 how that could happen?

1 A Yes, I could see how it could happen.

2 Q Did you ever see any other civilian workers talk
3 like that where they would say things about their personal
4 life, that they have a husband or kids or personal
5 information that could get back to an inmate that they
6 could use later on to leverage against a civilian?

7 A A lot of civilians talked about their -- Brad
8 Streeter did.

9 Q And what did Brad Streeter say?

10 A He talked about a lot of different things.

11 [REDACTED] Put your arm down so
12 she can get you here. Okay?

13 A Brad Streeter was -- like I said, he was -- I know
14 I'm female, and he's male, but he always talked friendly
15 about things too.

16 Q But, specifically, do you recall any training you
17 received specific to -- besides you talked about the fact
18 that inmate -- games inmates play? Certainly, you're
19 aware that you're in a maximum security prison with
20 murderers and rapists, correct?

21 A Yes.

22 Q And, now in hindsight, in retrospect, you can look
23 back and say, oh, my God, I should have never mentioned
24 any of these things, correct?

25 A Right.

1 Q Forget about the fact that you're bringing in items
2 to them, forget that. Is there something that would have
3 assisted you for a refresher course that could have helped
4 you or counseling from supervisors that would have
5 assisted in controlling that behavior?

6 A Yes.

7 Q And what kind of things would have helped redirect
8 you?

9 A They should have had more training. A lot of times
10 our training days, we had absolutely nothing. We're
11 supposed to have -- it was supposed to be every third
12 Wednesday of the month was supposed to be training days.
13 There were a lot of training days we had nothing, nothing
14 whatsoever. And before they started it, where it was
15 every third Wednesday of the month that we had training,
16 there was always stuff up in the office where you could
17 sign up for different trainings. There was actually one
18 training that we found out about after the fact that it
19 was just about booked up for anybody to be able to go into
20 it. Our boss had never even put the paper out to let us
21 know that there was training.

22 Q As you sit here today, when you did your yearly
23 evaluation with your supervisors, do you recall them
24 commenting to you -- we already went through -- you said
25 that they didn't comment about your --

- 1 A No, they never said anything.
- 2 Q -- former address. Did they comment about
- 3 physically saying you're too close or you're too familiar
- 4 with inmates, you're too at ease with them? Did they ever
- 5 counsel you about that?
- 6 A They never counseled me about it.
- 7 Q Did they mention it in the yearly reviews?
- 8 A Streeter was the only one that ever said that he
- 9 felt I was too nice.
- 10 Q So there was some attempt, at least, by a manager
- 11 to say --
- 12 A Right.
- 13 Q -- consider how you're interacting with them,
- 14 correct?
- 15 A Right. He just said I was too nice.
- 16 Q If someone was more direct, would that have been --
- 17 A Yes.
- 18 Q -- something that would have made you afraid for
- 19 your job, that kind of thing?
- 20 A Yes.
- 21 Q If someone said you can't even sit near them, if it
- 22 was more direct and pointed with you, would that have
- 23 helped?
- 24 A Yes.
- 25 Q Because obviously now, looking back, you saw when

1 you did that first favor for Matt that he had you.
2 A Yes.
3 Q Isn't that correct? Because now he's got leverage
4 over you.
5 A Yes.
6 Q And did you feel comfortable talking to any
7 other -- because at this point, and I don't want to put
8 words in your mouth. You didn't talk to any other tailor
9 shop workers about this incident, any conversations with
10 Matt, right?
11 A I didn't think I could talk to anybody.
12 Q Why not? That's what we need to know. Why
13 couldn't you go to one of your, is it fair to say, like,
14 you had some of these tailor shop employees who were your
15 girlfriends that you've worked with for years?
16 A Because I knew I had screwed up, and I didn't know
17 what would happen.
18 Q To who? To you?
19 A To me, to my husband, to anybody.
20 Q If there was a way that they could do almost like,
21 where you could go into a manager and say you feel
22 uncomfortable about a situation as an open dialogue, and
23 can you help me; I have an inmate that's getting a little
24 bit too close to me without fear that you would -- it
25 would affect your job or get you moved from a tailor shop,

1 would that be something that you would have utilized?

2 A Yes, I would have.

3 Q Now, there were other women that you used to
4 commute with at one point, correct?

5 A Yes.

6 Q You never turned to them for assistance?

7 A No.

8 Q You socialized with other tailor shop workers at
9 different times. You never thought you could go to them?

10 A No, because when I was having problems with the
11 former -- the former boss, she was having -- she was
12 trying to have other girls set me up, so I really didn't
13 talk to a lot of them.

14 Q And what do you mean -- again, it's unclear on the
15 record. What do you mean by -- what do you think you
16 meant by other girls were going to set you up?

17 [REDACTED] Joyce, take a second,
18 and this is a good question. Take a second and try
19 and explain what happened, okay, as best you can.
20 Just try and explain to this lady what happened.

21 A Okay. My former boss, when she was there, we used
22 to have to do, every 56 days we had to do an evaluation on
23 inmates, and at that time I was working up in what they
24 call APPU. And I had done an evaluation, and I had done
25 evaluations pretty much the same way, fair, you know. I

1 would look at the worker, how they worked, if they were a
2 good worker, because there's excellent's -- on the form it
3 says excellent, above average, average, and below average,
4 I think. It's been a while since I've seen one. And when
5 I was up there, I did an evaluation on my instructor that
6 I had in the shop. The inmate could sew anything. And he
7 was the instructor. He showed all of the men that came
8 into the shop what they needed to do, how to do it, and I
9 had been there almost two years in that shop, and she had
10 never once been in the shop, not once at all. She had
11 never made an appearance up there. She sent me back --
12 all of a sudden one day, she sent me back the evaluation,
13 redo this. And I asked why. And she goes, "No one is
14 excellent, and if they are, they're only average." And my
15 officer too, because my officer at that time, because if
16 you look at their paper that tells what their duties are,
17 they can assist in doing the evaluations.

18 Q Okay.

19 A And she didn't like it that I put excellent's on
20 it. And I'm like, well, he's my instructor. He can do
21 anything. And I wasn't the only one that marked
22 excellent's because I had looked at his old evaluations,
23 because that's what I would do. I would look at the
24 evaluation that was done before, and it wasn't done by me,
25 and there were excellent's marked on it. So I, mean

1 obviously, he was still doing the same thing as what he
2 had done. I mean I never had any problems with him. He
3 did his job. And she wanted me to change it, and I
4 couldn't see any reason in changing it. And then the next
5 thing I knew, she's sending all my work back telling me
6 that my guys are doing garbage work, and we never fixed
7 any of it and sent it back down, because my officer said
8 there is nothing wrong with this work. I'm like I know
9 there isn't, but she give me a hard time. She did a
10 formal counseling on me. The union was brought in, and my
11 union rep went in, and she goes -- that's when she made
12 the comment that you can't use the excellent's. He goes,
13 Well, if you can't use the excellent's, it should be taken
14 off the form. Well, Albany is not going to change the
15 form, that's what she said. And he goes, Well, there's no
16 reason why she shouldn't be able to mark excellent's,
17 and --

18 BY [REDACTED]

19 Q Was it one inmate you had rated excellent or the
20 whole --

21 A No, I had done other inmates too.

22 Q All of them?

23 A All of -- I mean different ones.

24 Q Not everybody.

25 A Not everybody, no, and it's not on every -- because

1 there's different -- there's like ability, I don't know.
2 It goes down through. There are several different things.
3 [REDACTED] Different criteria.

4 A Yeah, there's different criteria that you can
5 check, like quality of work. Well, if they're never
6 getting any repairs back, I would consider that excellent.
7 I mean, to me, that would be excellent if you're not
8 getting any. But, so she kept wanting me to change it.
9 And there were two other civilians that wrote evaluations
10 the exact same day that had more excellent's marked on
11 theirs than what I had on mine, and theirs were okay to go
12 through.

13 BY [REDACTED]

14 Q So did you feel that you were being targeted
15 because of that?

16 A Yes.

17 Q Or unfairly targeted as being too --

18 A Too lenient.

19 Q Too lenient or saying --

20 A Yes.

21 Q -- everybody's excellent or too many people are
22 excellent?

23 A But I wasn't -- it wasn't, you know, everybody in
24 the shop, and it might only be that their quality of work
25 was excellent.

1 Q But to bring it back around, I think what you're
2 trying to say is because of that evaluation and you
3 contested it with the union and you protested it in some
4 way, you didn't feel comfortable going to that specific
5 manager with any of your --

6 A Right.

7 Q -- concerns about your contact with Matt.

8 A Right.

9 Q But was there anybody else along the chain -- I
10 mean I keep going back to -- there's a time when Racette
11 walks through. You know he's the superintendent. I mean
12 that would be a guy that's beyond reproach that is in
13 charge of everything who could get things done. You
14 approached him about another topic that you didn't
15 approach him -- I'm just looking for people that -- there
16 was no-one else that you felt you could turn to to say,
17 hey, I may be in over my head; I need some help, or this
18 kind of thing.

19 A No, because even when I turned to Superintendent
20 LaValley when I was having problems with [REDACTED], and I
21 mean I understand he has to, you know, he has to protect
22 his workers, but I mean he wouldn't even help me. He
23 just --

24 Q And had you spoken to him or written him something,
25 written like a to-from to LaValley?

1 A Yes, I actually went right to his office, and I
2 talked to him about it, and when I talked to him I had
3 made the comment, I said, "How can she tell me how to do
4 my evaluations when she's never been in my shop and she
5 doesn't even know who this worker is?" And he looked at
6 me and said, "What do you mean she's never been in your
7 shop?" I said, "I've been in that shop almost two years,
8 and she's never come to this shop." I said, "She don't
9 even know who my instructor is."

10 Q But do you understand my concern? That's now the
11 second superintendent of the entire prison that you have
12 felt comfortable with approaching and physically speaking
13 with, but you're telling us now that there was no-one else
14 that you could turn to to talk about your contact with
15 Matt and how it was escalating.

16 A I didn't feel I could. I can't -- I can't explain
17 it, I really can't.

18 Q Do you see how it's perceived from my perspective?
19 The superintendent is in charge of everything.

20 A I know.

21 Q He's the top dog. That's the top guy in the
22 building, in the entire facility.

23 A But, like I said, I know if Matt and Sweat would
24 have been moved out of the facility, I had the fear in the
25 back of my head that he had something there to do

1 something to my husband.

2 Q But if the superintendent could help you, wouldn't
3 that be the best person to help you? If he couldn't help
4 you, then who would be better to help you?

5 A I know, I should have went to him, but --

6 Q And even on the eve of the escape when Matt is
7 telling you --

8 A I'm so scared. (witness crying)

9 Q I understand, but Matt is telling you tonight's the
10 night. Matt didn't prevent you from leaving the tailor
11 shop. You went about your day, you went home, you met
12 Lyle, and you went in the car and you went out to eat.

13 A Yes.

14 Q And during none of that time did you make any
15 effort to call anybody or tell anybody back at the prison.

16 A I know, I was scared.

17 Q But people's lives are at risk at that point, and
18 you understood that.

19 A I know. I said I'm so sorry. (witness crying)

20 Q I appreciate that you're sorry. My concern is this
21 doesn't match up with the facts that we see before us.
22 You have enough confidence to approach two different
23 superintendents, but you don't make a call, an anonymous
24 tip to 911; I have a concern about that.

25 A I don't know why. I told you I don't know why.

1 I'm so scared. I'm so scared.

2 Q Mrs. Mitchell, have you had any -- have you had any
3 contact from any news agencies trying to get interviews
4 with you?

5 A Yes.

6 Q Who?

7 A A lot of them.

8 Q Have you granted any interview requests?

9 A The only one I finally did was Matt Lauer, and
10 that's because supposedly DA Wylie said he had no problem
11 with it, there wouldn't be any other charges put against
12 me.

13 Q I don't understand. I'm sorry, I'm unclear what
14 that means. Matt Lauer knows that, or DA Wylie is okay
15 with you talking with Mr. Lauer? I'm unsure.

16 A Yes.

17 Q What does that mean?

18 A Supposedly.

19 [REDACTED] Do you know, Counsel?

20 [REDACTED] I can tell you what I
21 know about it.

22 [REDACTED] Okay, could you please?

23 [REDACTED] Okay. Yesterday
24 morning I found out. [REDACTED] called me
25 yesterday morning and said to me, "Are we all set?"

1 And I said, "Are we all set for what?" And he
2 said, "Well, Matt Lauer is coming tomorrow,"
3 meaning today, "to do an interview at the jail
4 with" -- I don't know if he said just Joyce or
5 Joyce and Lyle, I don't recall. And I said --

6 MRS. MITCHELL: Lyle can't be there.

7 [REDACTED] Okay, then it was just
8 Joyce. And I said, "No, we're not okay. I don't
9 know anything about this." So he paused, and he
10 said, "Well, Lyle has said that you don't mind.
11 And I said, "Well, that isn't true, I do mind, so,
12 no, there is not going to be any interview."

13 So that's what I know about it. I heard
14 also that he called the facility and said he was
15 authorized to speak for me over the weekend.

16 [REDACTED] Who is that?

17 [REDACTED] [REDACTED]. That's
18 what I heard. Okay? Which he's not authorized to
19 speak for me.

20 [REDACTED] Is [REDACTED] --

21 [REDACTED] Lyle's attorney.

22 [REDACTED] Okay.

23 [REDACTED] Wylie called me. He
24 expressed concern because he had heard about the
25 interview, and I said I had nixed the interview. I

1 spoke to Matt lawyer, and I told him that there
2 would be no interview, and I called the sheriff.
3 The sheriff called me. I called him back, [REDACTED].
4 And I said I don't want any interview because he
5 thought I had -- was on board --

6 [REDACTED] Sure.

7 [REDACTED] -- with this.

8 [REDACTED] Sure.

9 [REDACTED] So he said that he
10 would not allow them to do the interview, and I
11 said, "Thank you." I mean that's a nutshell.

12 [REDACTED] Sure.

13 [REDACTED] I could probably go on,
14 and on, and on. I also got a call from other news
15 agencies saying that they had heard that this was
16 happening.

17 [REDACTED] I know you can't control

18 Lyle.

19 [REDACTED] I cannot.

20 BY [REDACTED]

21 Q But, Mrs. Mitchell, do you know if Lyle is giving
22 an interview to the Today Show or Good Morning America or
23 anything like that?

24 A He talked with Matt Lauer. That was the only time
25 he talked to him, but supposedly Matt Lauer was coming

1 either tomorrow or Thursday to talk to me. Supposedly,
2 the District Attorney, Mr. Wylie, said he had no problem
3 with me doing it.

4 [REDACTED] But, Joyce, I told you
5 that that's not true.

6 MRS. MITCHELL: I'm just telling you
7 what I was told.

8 [REDACTED] Okay, that is not true,
9 so whoever told you that is inaccurate.

10 BY [REDACTED]

11 Q So there's no scheduled interview with any --

12 A I have no idea.

13 Q -- news station.

14 [REDACTED] To my knowledge, no.

15 [REDACTED] Okay. Would anybody be
16 able to talk to Mrs. Mitchell without your
17 approval? A news agency, would they be allowed to
18 interview her without --

19 [REDACTED] I don't the law on it.
20 I have been interfacing with them and saying no. I
21 don't know what the law is on that because I've
22 never had to deal with this before.

23 [REDACTED] I know this is a little
24 unusual.

1 BY [REDACTED]

2 Q But, Mrs. Mitchell, for clarity sake, we would ask
3 that, because part of the agreement is crystal clear with
4 Mr. Wylie, and I don't know if there is some double-talk
5 or misunderstanding or what's going on, but part of your
6 clearly stated agreement is to cooperate with the IG's
7 office --

8 A Yes.

9 Q -- to the completion of our investigation, and
10 certainly any kind of interviews in the interim before the
11 completion of that interview would, could possibly affect
12 our ability to do our completed interview without --

13 [REDACTED] Investigation.

14 Q -- our investigation, complete that without other
15 people becoming involved or bad information getting out
16 there or improper information getting out there. Do you
17 understand that?

18 A I understand, but I also understand that there's
19 stuff out there that I didn't do and everybody is blaming
20 me for.

21 [REDACTED] I'm doing my best
22 because I'm not one that likes those interviews,
23 and I did do one.

24 [REDACTED] I appreciate that.

25 [REDACTED] But I had specific

1 reasons for it, and I regretted doing it. So, in
2 any event, I'm not -- I'm trying to make sure that
3 that doesn't happen, and my concern is more
4 sentencing date than --

5 [REDACTED] Absolutely. Absolutely,
6 there's a --

7 MRS. MITCHELL: There's more than just
8 me, because I didn't give them everything that they
9 got out with.

10 [REDACTED] Okay, well, we need to
11 know what -- that's what --

12 MRS. MITCHELL: There's no way.

13 [REDACTED] -- we need to know.

14 BY [REDACTED]

15 Q Did Gene Palmer provide those tools?

16 A I have no idea.

17 Q Do you feel scared or threatened by Gene Palmer?

18 [REDACTED] Joyce, take a minute.
19 Take your time, take a minute, compose yourself and
20 then answer the --

21 MRS. MITCHELL: I'm trying.

22 [REDACTED] -- gentleman's
23 question. I know you are, just but take a moment
24 and compose yourself so you make sure you answer
25 these questions accurately.

1 While you're getting control, these media
2 people, they're like -- they're mad. They're
3 really --

4 [REDACTED] I can appreciate that.

5 [REDACTED] They're really
6 unbelievable.

7 [REDACTED] Tenacious.

8 MRS. MITCHELL: I get letters all the
9 time. NBC has been here. I don't know who else
10 has been there, and I've refused everything.

11 [REDACTED] Would you read the
12 gentleman's question back please? Now listen to
13 the question.

14 [REDACTED] I can repeat it.

15 BY [REDACTED]

16 Q Do you feel scared or threatened, or did you feel
17 scared or threatened by Gene Palmer?

18 A I don't know.

19 Q Do you believe --

20 A I just know that I'm the only one that's going to
21 prison, and everybody else is going to get away with
22 everything they did.

23 BY [REDACTED]

24 Q Well, Mrs. Mitchell, this is why it's important.
25 Did Matt tell you anybody else was bringing them stuff in

1 unrelated to you, separate from you?

2 A He didn't.

3 Q He never mentioned anyone else giving him tools,
4 giving him access to things?

5 A No.

6 BY [REDACTED]

7 Q Gene Palmer has provided sworn testimony where he
8 says that he told you, when you handed him the meat,
9 "Tilly, don't do this."

10 A No.

11 Q Is that --

12 A He never said that.

13 Q -- absolutely false? Is that absolutely false?

14 A That is false. He never said that.

15 Q Did Gene Palmer come to you and warn you that Matt
16 and Sweat were trying to set you up?

17 A No.

18 Q Never.

19 A Never.

20 Q Is that absolutely false? If he were to make that
21 statement, is that absolutely false?

22 A That is false.

23 Q Do you have any knowledge that Gene Palmer is doing
24 anything else other than what we've spoken about today?

25 A I have no idea what Gene Palmer's doing.

1 Q Why would he be so willing to take the meat up to
2 Matt, in his cell, not knowing what might be in the meat?

3 A I don't know.

4 Q It seems kind of a big risk, if he's not -- if he
5 doesn't know what's going on.

6 A I don't know. I don't know if he knew what was
7 going on, I really don't. I just want my life back.

8 BY [REDACTED]

9 Q Mrs. Mitchell, I think you did tell the State
10 Police in an earlier interview that you -- that Matt had
11 told -- I'm sorry, that Palmer warned you that Matt and
12 Sweat were trying to set you up.

13 A No.

14 Q You didn't say that.

15 A No.

16 Q I think you did say that. I mean, if it wasn't
17 true, we want to know. If he said something like that,
18 what --

19 A I don't remember saying that.

20 Q What's that all about?

21 A I don't remember saying that.

22 Q Okay.

23 BY [REDACTED]

24 Q Do you know if Palmer would give Matt and Sweat a
25 heads up when there's about to be a lock down?

1 A Yes. He would actually go to their cells and he
2 would -- because Matt would tell me, he would go to their
3 cells and take anything they weren't supposed to have, any
4 contraband, he would put it in some kind of bag and go
5 hide it somewhere.

6 Q And would that contraband include things like the
7 hacksaw blades and the [REDACTED]?

8 A I don't know. I really don't know.

9 BY [REDACTED]

10 Q Did you ever have a single conversation with Palmer
11 about your involvement with Matt? Did you ever ask him
12 about his connection with Matt?

13 A No. Matt just always said that he was his boy. He
14 even made the comment one time that they had drank
15 together.

16 Q That Matt and Palmer had drank together?

17 A Yes.

18 Q In his cell or in --

19 A He didn't say where.

20 Q He didn't say?

21 BY [REDACTED]

22 Q It had to be in the prison somewhere, though.

23 A It would have to be.

24 BY [REDACTED]

25 Q Well, what we're saying is this is one of the last

1 opportunities you're going to have to let us know if
2 there's another security breach, if there's someone we
3 have to be worried about that's still out there engaged --

4 A I don't know.

5 Q -- in this kind of bad activity.

6 A I really don't know.

7 Q It's all on you then? It's all on you. You're the
8 only one that brought tools in.

9 A I don't know who else. He never said anything.

10 But you know yourself, there's no way that they could have
11 got out with a hacksaw, and a punch and chisel.

12 Q But this is the time, this is the time to tell us
13 if you heard rumors, you heard whispers of somebody else
14 being involved, someone else helping them.

15 A We -- we -- there was one time that there was
16 supposedly stuff missing out of light, heat and power, or
17 whatever, but I don't know if they ever found what was
18 missing or not.

19 Q How did you hear about that?

20 A It was just through the prison.

21 Q What was missing, do you know?

22 A There was some kind of tools missing.

23 Q And you just heard that through other COs or
24 through other inmates?

25 A Just, I think it was inmates that said it. I

1 didn't hear COs say it.

2 Q Did you ever hear other inmates discussing what was
3 underneath the buildings, the tailor shop, all the
4 buildings, the blocks?

5 A There were two, one day, when I was walking through
6 my shop, they were arguing about when they redid something
7 underneath the prison. And that's when Matt said, No, it
8 looks like this down there, and there's this, this and
9 this. And they're looking at me, and I'm like I have no
10 idea. I've never been down there. And the only thing I
11 had ever heard about was down in the annex, the other
12 building, there was an old bowling alley.

13 Q Did you discuss that with the inmates, though? Did
14 you mention --

15 A They knew that.

16 Q -- that? But was Matt acting as -- was he saying
17 clearly to them, I've been down there, this is what the
18 basement looks like?

19 A He didn't actually say he had been down there, but
20 he said this is what it looks like.

21 Q This is what it looks like. And did the other
22 inmates, did you overhear them saying, how do you know
23 that, or have you seen drawings, or anything like that,
24 schematics?

25 A No, because at that point I was still walking by,

1 but they were arguing about because there was -- I'm
2 trying to think what his name was. [REDACTED]?

3 Q Is that an inmate?

4 A That's an inmate. He was over my issue area.
5 There was him. I can't think of the other guy that was in
6 the issue area with him. He worked in the issue area with
7 him.

8 BY [REDACTED]

9 Q [REDACTED]?

10 A Huh?

11 Q [REDACTED]?

12 A No, not [REDACTED]. I want to say [REDACTED], but that
13 don't sound right either. But they were the only two that
14 were working in the issue area -- and then there was one
15 other inmate standing over there. They were discussing it
16 when I was walking by. But I had never been down
17 underneath, so I didn't know. And it's just like Palmer
18 had had them in the catwalk, and they're not supposed to
19 be their either, but that's besides the point.

20 BY [REDACTED]

21 Q Can I just go back to one thing? And I know we
22 heard that the first time this hacksaw blades came in that
23 you put them in Matt's box, and this is of great concern
24 to us, because if they were in his box, how did he get
25 them back? He had to have got them through a metal

1 detector somehow, get them through the infirmary and get
2 them back to his cell. And apart from the meat -- you
3 know, and if you brought them and put them in his box,
4 that's no worse than putting them in the meat. It's the
5 same --

6 A No, I only did the meat.

7 Q -- thing. It's the exact same bad act you
8 committed.

9 A I know.

10 Q Is it possible -- really, and we're not accusing
11 you.

12 [REDACTED] Joyce, Joyce, all he's
13 trying to do --

14 Q We're trying to understand a security breach.

15 [REDACTED] It doesn't change
16 anything, whether you --

17 MRS. MITCHELL: The only --

18 [REDACTED] That's all he's trying
19 to say.

20 MRS. MITCHELL: That's all I did.

21 [REDACTED] Right, it doesn't
22 change anything.

23 COURT REPORTER: Say it again? I
24 didn't hear you. Everyone's speaking at the same
25 time.

1 MRS. MITCHELL: I only put them in the
2 meat. That's what he told me to do, was put them
3 in the meat.

4 BY [REDACTED]

5 Q So the first time, the wintertime, so they cut out
6 of their cells. You didn't put them in the box, in Matt's
7 sewing box.

8 A No. I put them in the meat.

9 Q You're sure of that?

10 A I'm sure.

11 Q It's not possible you did that?

12 A No. I put them in the meat, because when he said
13 bring them in, I'm like, How am I supposed to do that?
14 And that's when he said, "Put them in hamburger," and they
15 actually -- they used the hamburger to make goulash.

16 Q And there was no other time.

17 A No.

18 [REDACTED] Two times with
19 hamburger meat.

20 A Yeah, two times with hamburger --

21 Q Right, two times with hamburger meat.

22 A But that was it.

23 Q Our concern is that they were not -- if they got to
24 them through some means other than the hamburger meat,
25 which is not, you know, not that you orchestrated all of

1 that, that that suggests a serious security risk somewhere
2 else in the jail that we need to know about and try to
3 fix, so you're sure that it's not possible that you --

4 A I didn't. I put them in the hamburger.

5 Q The only way -- the only times you brought the
6 blades in, they were in the hamburger meat.

7 A Yes.

8 Q You're sure of that.

9 A Yes, I am sure of that, and Palmer picked it up
10 both times.

11 Q Okay. Now, there's no need to be upset. I just --
12 we need to know -- we need to know the answer to this, and
13 it's no worse if you did it one way or the other.

14 A I put them in the hamburger.

15 Q Okay.

16 A The only time I brought them in was in the hamburger.

17 BY [REDACTED]

18 Q Mrs. Mitchell, any of these news agencies that have
19 contacted you, has anyone offered you a contract to write
20 a book, or to do a screen play, or to tell your life
21 story, or anything like that? Have there been offers made
22 like that to you?

23 [REDACTED] Or just payment for
24 an interview, or payment to somebody else in your
25 family?

1 A ABC wanted to. Was it ABC?

2 [REDACTED] She's got -- I've
3 gotten letters for that, or e-mails I've gotten.

4 [REDACTED] Where they actually
5 offered monetary compensation?

6 [REDACTED] No, no, no, but what
7 I've gotten is something about book rights or
8 something like that, inquiries about that. But to
9 my knowledge, nothing's been pursued.

10 [REDACTED] Okay.

11 [REDACTED] It's just been received
12 and stuck in the file.

13 [REDACTED] Because if there are any
14 interviews, our office wants to be part of them.
15 Our office wants to be notified of them. We want
16 to take part in them if they are ultimately
17 granted. But, obviously, again I'm reiterating we
18 have concerns about our investigation be completed
19 before any of this happens.

20 [REDACTED] Joyce, did you just
21 hear what the gentleman said?

22 MRS. MITCHELL: Yes, I did.

23 [REDACTED] Because that's
24 important for you to hear. Once again, this Matt
25 Lauer thing was set up without my knowledge.

1 [REDACTED] Sure, but if we're not
2 notified prior to sentencing, that certainly would
3 be related back to Wylie as lack of cooperation.

4 MRS. MITCHELL: So what I was told is
5 that DA Wylie said that it was fine.

6 [REDACTED] Yeah, but, Joyce --

7 MRS. MITCHELL: I'm just telling you.

8 [REDACTED] I was also told that
9 people called up here saying everything was fine
10 using my name, and that was false, so a lot of
11 things are being said that are false.

12 MRS. MITCHELL: It's just there's no
13 way that it could have just been me. There's no
14 way.

15 BY [REDACTED]

16 Q Why? I don't understand why you're saying that.
17 You brought in --

18 A I brought in hacksaws.

19 Q You brought in hacksaw blades.

20 A There's no way they could have got through all of
21 that with just those hacksaws blades; there's no way, no
22 way.

23 Q Well, you brought in a chisel and a punch.

24 A There's still no way they could have got through
25 everything they did.

1 BY [REDACTED]

2 Q Like you said, Sweat is a very ingenious, smart
3 person, and Matt's physically strong.

4 A They said they found out there were power tools. I
5 didn't bring them power tools. They said they found them.

6 BY [REDACTED]

7 Q I don't think anyone's suggesting that you did.

8 A Well, everybody's suggesting that I'm the only one
9 that's involved in this. There had to have been somebody
10 else, by who I don't know.

11 BY [REDACTED]

12 Q And that's what we're trying to get to. I
13 understand. We've been around and around with this, but
14 we're asking for your help at this time to state if you
15 heard anything else, but it appears that you didn't hear
16 anything else.

17 A I haven't.

18 [REDACTED] The State Police asked
19 that. She said the same thing, and I said if she
20 remembers anything or whatever, I would let you
21 know.

22 [REDACTED] Absolutely.

23 [REDACTED] And I'll say the same
24 thing to you.

25 [REDACTED] If there comes a point

1 where we think of more questions, we'll contact you
2 and reach out for an additional interview.

3 Is there anything else that you guys can
4 think of at this point? Do we have the time?
5 7:40? That concludes the interview for today.

6 (Whereupon, the matter, in the
7 above-entitled proceedings, concluded at 7:40
8 p.m.)

C E R T I F I C A T E

I, Kyle Alexy, a Shorthand Reporter and Notary
Public in and for the State of New York, do hereby
certify that the foregoing record taken by me is a true
and accurate transcript of the same, to the best of my
ability and belief.

Kyle Alexy

DATE: August 12, 2015

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